

Urca Major & Minor :
OR,
A Sober and Impartial
ENQUIRY
Into those Bugbear Pretended Fears and Jealousies
OF
Popery and Arbitrary Power,
WITH
Some Things offered to Consideration touching His
MAJESTY'S League made with the King of
FRANCE, upon Occasion of his Wars with
Holland, and the United *Belgick* Provinces.
IN
A LETTER
Written to a Learned understanding Friend, no
London-Mechanick, or *State-Mountebank*.



L O N D O N,

Printed for Samuel Heyrick at Grays-Inn Gate in Holborn, 1681.

With a History of the

A Short and Impartial

ENQUIRY

Into the Rights of the Colonies

to Property and Liberty

WITH

Some Things offered to Consideration touching His Majesty's League made with the King of France, upon Occasion of his Wars with Holland, and the United Provinces.

IN

A LETTER

Written to a Learned understanding Friend, by London-Mechanic, or Stone-Mason.



L O N D O N

Printed for Samuel Heyrick at Green-Pan Gate in Holborn, 1721.

SIR,

IF a very long and sad, for many years together, often repeated Experience, with the sence of very many National and Universal needless Miseries, which are so certainly to be believed, as all the People of the Nation (the wickedly-gaining Party by it only excepted) may safely make *Affidavit* of it, were able to obtain any thing or prevail with us, not one, but every man should think that it was and would be a duty Incumbent upon every *English-man*, and true Lover of his King and Countrey (for there be too many *Counterfeits* who do not well understand either the one or the other) to abhor and fly as the affrighted *Greek*, and Relator of the Strength and Gigantine Cruelties of the monstrous *Polyphemus*, did with a *Fugite ó Fugite*, from the Phantasms of those ungrounded Fears and Jealousies, which usher'd in, and fomented that Subversion of our Religion, Laws, and Liberties, especially when it is not yet gone out of memory, how many Dismal and ever to be lamented Effects and Calamities the inflamed and affrighted Vulgar and too hasty and inconsiderate Factious part of the People, in the Years 1641, and 1642. with the Fancies of Popery, and Arbitrary Power and Dangers rushing in upon us, viz. a *Plague-Plaister* supposed to have been Attempted to be delivered to their great Champion Mr. *John Pym* to Infect and Destroy him; Horses kept and trained under Ground; the Lord *Digby* in his Coach and six Horses (upon his ordinary occasions) appearing at *Kingston* upon *Thames* in a Warlike manner, with many other dressed up *Bugbears*, not enough to affright old Women and young Children have brought upon us, and that a Bloody and Costly War, Murder of their King and fellow Subjects, Rapine and Spoil of each other; the waling over in Blood, and almost Destruction of Three Kingdoms, and the Ruine of Church and State have been the Products of them. And when all was done, could not assign any other Ground or Cause for it, than Rebellion that *Sin of Witchcraft*, and the Relish and Content which was found in the violation of all the Commandments in the second Table of the dreadfully, by God himself, pronounced *Decalogue*; and as much as they could of the first, and by yielding up their Discretions to the first Summons of their Fears of Imaginary apparitions of Dangers, have made themselves to be well deserving, or fit for the Reproach or Castigation which *St. Paul* used to a far less intoxicated People; *O ye foolish Galatians, who hath bewitched you?*

Though your Learning, long Conversation, and large acquaintance with History; together with your curious *recherches* and retrospection into the Affairs of the World, and Ages past, a great Insight into the *Politiques*, and a strict watch and observation kept upon the Causes, Effects, and Events of *Actions of State*, and as many of the Reasons and Intrigues thereof, as are proper and do usually come to publick View, may sufficiently fortifie you, against those kind of Impressions, which have bespoken and taken up so much room in the Minds of such as are less Cognisant; or do too much accustom themselves to make their Designs to be the only measure of their own Errors in Judgment, which are not seldom built upon guess or contraries; yet lest your great care and vigilance in all the Concernments of the *Protestant* Religion, and the Property and just Rights of the

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Subjects

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Subjects should raise in you more than ordinary Apprehensions, and carrying you down the Rapid stream of those great mistakings, bereave you of that Happiness which hitherto hath attended the Temper and Tranquillity of your Mind, and make you a Prisoner to those Fears and false Alarms, which your more Sedate Thoughts, will I assure my self tell you are not to be numb'd amongst those *quæ in virum Constantem cadere possint*, which can ever be able to disturb the quiet and repose of a Man, who from the *mountains of Time*, hath looked further than yesterday, and by the Rules of Prudence, Policy, and former Examples; may with more certainty than *Astrology* ever afforded, foresee what is likely to happen.

I have adventured here inclosed to send you my Thoughts and Sentiments, which I hope will not want your Candid Reception; especially when they shall but bring before you and your judicious Censure the Considerations, that there will be enough surely to satisfy and quiet the most timorous or melancholick Persons (who too often trouble themselves with their own Imaginations) that the increase of Popery since the Statutes of the first and 23th of Queen *Eliz.* and 3^d of King *James*, in the year 1638. (when Liberty, Pretence of Religion, and Conscience began to run out of their Wits, and never stayed until they came to an Open and Horrid Rebellion) hath been so little (although the Popish Party have gained too many great Advantages by that and our many Divisions in Matters of Religion and Church Government, and our late National Debaucheries and Atheism, which do carry too many into the Delusions of Popery) As it may, if a strict account were taken, probably enough ascertain us that there hath been rather a Decrease than an Increase of it. And that if Commissions, which will be no way inconsistent with the Rules and reason of Law and good Government were granted by His Majesty unto Orthodox, Loyal, Discreet, Sober, and Unbiased Persons in every County and City of *England* and *Wales*, to Inquire and Certifie how many Papists there are therein Resident, the Result and Conclusion will assure His Majesty and His great Council of Parliament, that there is not above Five in every Hundred of the Nation, if so many, that are guilty of direct *Popery*, or Infected with it; and in *Scotland* not many more, unless that small Number should happen something to be increased by the late addition of the *Jesuited Masquerade* counterfeit *Protestants*.

And their increase in Riches or Estate, not like to be much, when they that shall be Convict, and have no Lands or real Estate, are by the Statutes of 29 *Eliz.* to forfeit and pay 20 *l.* every Month.

And they that have Lands and real Estate are to pay 2 parts, the whole in the 3 parts to be divided by the Statute of 3 *Jac. ca. 4.*

And if that should not impoverish their Estates, and make them less terrible than the *Anakims*, it would nevertheless be effected by the Maintenance, Necessities and corroding of their Priests and *Jesuits*, with the multitude of Papal Exactions and Contributions to foreign Colleges, and Religious Houses, *Pensions*, *Censes*, *Peter-pence*, *Procurations*, *Suits for Provisions*, *Expeditions of Bulls*, *Appeals*, *Rescripts*, *Dispensations*, *Licenses*, *Grants*, *Relaxations*, *Writs of Perinde valent*, *Rehabilitations*, *Abolitions*, and other sorts and natures of *Breves* and *Instruments* enumerated in the Statute of 25 *H. 8. ca. 21.* And there said to be Infinite, with their many times costly *Masses*, *Indulgencies*, *Releases*, and *Purgatory* favours, by which the common kind of Papists are sure in their Contributions and Taxes charged upon them by their well-gaining Superiours, or Conductors, the wrong way to have themselves and their Families kept and continued poor and low enough, without the least of danger of Surfeits or overmuch Satieties, especially when they are to live after the excessive Rates of Household Provisions, and Expences for Food

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and Raiment; now more than formerly exacted, to the shame and disgrace of the Protestant Religion, by a mighty and insupportable excess of Pride, Usury, Brocage, and Cheating to maintain it.

Neither are their Numbers or Increase (considering their strict Observations of *Lent*, very many Publick Penances, *Vigils*, and Fasts, and Private Mortifications) like to be as dreadful as that of the Children of *Israel* in *Aegypt* to the *Aegyptians*.

Or of the *Moors* that had 800 years together Conquered and Overpowered *Spain*, when the numerous Posterity of them were in the memory of Man, Banished and sent home again into *Affrick* upon so severe and short a warning, as they were constrained to abandon and leave behind them all their Lands and Possessions, and carry only such moveables as a rigorous and short prefixion could allow them.

Or to cause them to be Transplanted, as many of the *Irish* were, by *Cromwell* in his Hypocritical, Zealous, and unmerciful Policy from their other more comfortable Provinces in *Ireland*, as *Ulster*, *Lymrick*, and the *English Pale*, into *Connaught* the worser part of that Kingdom.

And that there is no foundation to support those *Panick Fears* which have so greatly and more then needs tormented the Minds of too many of the either over-credulously fearful, or over-medling part of the People, and being only more supposed than demonstrated to be a Grievance, and lying heavy upon some kind of Spirits; will be as necessary to be taken out of their Minds, and as well becoming a *State Policy*, and the Care of the Sovereign, as it was of our King *Henry the Third*, who in the turbulent Commotions of his Barons and their Adherents, and the Distresses which were put upon him, found it to be no *Mountebank's Medicine* to Cure and assuage the Distempers of the all-discerning and giddy Multitude, by granting out his Commissions into every County, to inquire of their Grievances or causes of discontents; so as not to excuse or Patronize any one Sort or Sect whatsoever, in their maintaining the Unchristian and Damnable Doctrine of *Killing* or *Deposing* Princes for *Male-Administration* of Justice, or those that dissent from our truly Loyal and Religious Church of *England*.

It may be a thing capable of wonder, and fit to be put as a Question to the more Intelligent, How it should happen that Fears and Jealousies should so disturb the Minds of such as endeavour to affright themselves and others with the Attempts and Dangerous Doctrines of the *Popish Party*, and the same persons nevertheless to be so calm and silent in the fast-rooted, unrepented, and offered in publick to be justified groundless, ungodly, and disloyal Opinions of too many of those that would be called *Protestants*; and accorpted Zealots in the Practice and Promotion of it, That a King is accountable to the People for breach of Trust, may be deposed, and is but Co-ordinate with both his Houses of Parliament; and as not content with that which can never be proved to be due unto them, would mount a great deal higher, and pretend that there is a Sovereignty in the People; and that the King is but an Artificial Man, set up or appointed by them; And suffer a Seditious Book, called, *The Obligation of Humane Laws* to be publickly Sold, and never complained of, when it doth all it can to prove, That every man, how simple or illiterate soever he be, is to be a Judge, whether the Law or a Command of his Prince or Superior be good or bad, and direct or apply his Obedience unto it accordingly.

As if they had never heard or read of the folly and dire Effects of Rebellion and Sedition in that of the *Spencers*; in the Reign of King *Edward the Second*, That Allegiance was only due to the Crown, and not unto the Person of the Prince; being exploded by two Acts of Parliament, and the Promoters
Condemned

Condemned of Treason, and his Inforced resignation of his Crown to his Son King *Edward* the Third, by the Faction of his *Queen* and *Mortimer*, and the deposing of King *Richard* the Second by an over-power of the Army of *Henry* of *Launcester*, and his Party, occasioned by affrighting him into a seeming voluntary Surrender, disallowed and detested by Succeeding Ages.

Or may we not rather commend and imitate the better temper of the Subjects of this Kingdom before the 23^d year of the Reign of *Queen Elizabeth*, when in the beginning of her Happy and ever to be praised Government, they never started at her Indulgence to the *Popish* Party, or took it ill that she kept an Ambassador at *Rome*, and was offered to have the *English Liturgy*, and Reformation established by the *Pope's* Authority, if she would but acknowledge his Supremacy, gave Aid to *Don Antonio*, a distressed *Popish* Prince towards the Recovery of the Kingdom of *Portugal*, and so much assisted *Mary* Queen of *Scotland*, a *Papist* and Mother to our King *James* (who if she had survived her, was by Inheritance to have been Queen of *England*) against the *Presbyterian* and *Congregational* Rebellious Party in *Scotland*, as they called her the *Whore of Babylon*, and publicly Preached that she was an *Atheist*, and of no Religion.

Or can we do less than deem the *English* Nation in the Reign of King *James*, to be happy in their enjoyment of so great a Tranquility, as to be free from any Suspicions of the Increase of Popery, when he was wrongfully accused by *Elphinston*, to have written a little before his coming to the Crown of *England*, a seeming friendly Letter to the *Pope*, and that the *Pope* had after he came into *England*, sent a Cardinal to Seduce him into the Snares of that Religion; wherein (although upon reason of State he had given his Royal Protection unto *Preston* and *Warrington*, two Secular Priests, against the Practices of some *Jesuits*, which *Abbot* Arch-Bishop of *Canterbury*, a professed enemy to Popery, did allow as a thing not evilly done) his afterwards Learned Books and Writings against that Church, might have abundantly manifested the folly of such who should but have imagined that he had any Inclination or good Will unto it.

For it cannot be unknown to you, that until the 16th year, and the after succeeding years of the Reign of that peaceable and wise Prince, when his Son-in-Law *Frederick* Prince Elector, and Count *Palatine* of the *Rhine*, had as unhappily as rashly and unjustly, taken upon him to be Elected King of *Bohemia*, and that by the designed Marriage of His late Majesty with the *Infanta* of *Spain*, he endeavoured all he could to allay and quench the Fire which the Wars about that and the *Palatinate* had kindled in *Germany*, and had put too many of our *English* into an humour and fit of Zeal, to desire the propagating of the Protestant Religion by the Sword, no such Fears or Jealousies had gained a Possession in the Minds of some unquiet People, who were in Duty as well as Reason to have acquiesced in the Constancy and Care of that Religious King, for the preservation of the Protestant Religion.

Nor escape your Observation, that the benefits of the Marriage with the *Infanta* of *Spain*, being not well understood, and the misapprehension of a Toleration of Popery to ensue thereupon, multiplying the supposed Dangers.

Having induced the House of Commons in Parliament in the Nineteenth year of his Reign, to Petition that peaceable Prince, that the time was come that *Janus* Temple must be opened, and the Voice of *Bellona*, not of the *Turtle* must be heard, and therefore they thought it their Duty not only to provide for the present supply of the War, but to take Care for the securing of their Peace at home, which the dangerous Increase and Insolency of *Popish* Recusants, apparently, visibly, and sensibly did lead them unto.

And

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And yet in the same Petition did acknowledge, That *they did not assume to themselves any Power to determine of any part thereof, nor intended to incroach, or intrude upon the sacred bounds of his Royal Authority, to whom, and to whom only they acknowledged it did belong to resolve of Peace and War, and the Marriage of the most Noble Prince his Son.*

Unto which he did Answer, That *his Son-in-Law's unjust Usurpation of the Crown of Bohemia, from the Emperor, had given the Pope and all that Party too fair a ground, and opened them too wide a gate, for curbing and oppressing of many Thousands of the Protestant Religion in divers parts of Christendom; that the Palatines accepting of the Crown of Bohemia, had no reference to the Cause of Religion, and therefore would not have the Parliament to couple the War of the Palatinate with the Cause of Religion, and that the beginning of that miserable War which had set all Christendom on fire was not for Religion, but only caused by his Son-in-Law's hasty resolution following evil Counsel, to take to himself the Crown of Bohemia, and in the last year of his Reign in a Speech to the Parliament, wished that it might be written in marble, and remain to Posterity, as a mark upon him when he should swerve from his Religion.*

And certainly he must be much an Infidel, and a great Master in the *Phantasticks*, and School of *Opinionastrete*; that will not believe King Charles the First his Son to have been a great Assertor of it, when in the fourth year of his Reign, in a Speech to the Parliament, he declared, That *he was, and ever should be, as careful of Religion, and as forward as they could desire, and would use all means for the maintenance and propagation of that Religion wherein he had lived, and did resolve to die.*

And in the Head of his Army, and very great Distresses afterwards profess by the taking of the blessed Sacrament, *to maintain it, and took so great a Care of it, as a Popish Book could not peep into England, but he speedily appointed some of his Chaplains, or some other Learned Man of the Church of England, to Print and Publish an Answer unto it, made many of his Coins of Silver to Proclaim his resolution to Defend the Protestant Religion, Laws, Privileges of Parliament, and the Liberties of the People, and died a Martyr, because he would not deliver up his Subjects to a perpetual slavery of a never to be shaken off Arbitrary Power.*

And His Majesty that now is, being the Son and Heir of his Constancy in the Protestant Religion, hath been so much of that fixed and unalterable Resolution as the Love of a Mother, and all those Obligations that a filial Obedience had put upon him, could not dissuade him from enforcing the Duke of Gloucester his younger Brother out of her Tuition, and Intention to breed him up in the Popish Religion, and the Syren Charms of *Militiere* in his Book purposely Dedicated unto him to make him averse to that Religion whose *Pseudo-Professors* had murdered his Father, and been the Cause of those very many Miseries, Affronts, Ill Usages, Wants, and Reproaches which he and his Royal Brothers endured in the Twelve years longsome time of his Distresses, could never perswade him to accept of a strong and powerful Aid of Catholick Princes for his Re-establishment in his Kingdoms, nor incline him to do that to save Three Kingdoms, which his Grandfather by the Mother-side, the Great Henry of France, by reconciling himself to the Church of Rome, did to save only one, when his Sufferings outwent and far surmounted any which his Grandfather had endured.

But if any would have our Laws the severest of which was Enacted in the Conspiracy, and feared evil Consequences of the Gun-Powder Treason, to be put so much in execution, as to forfeit and take away *two parts of three*; the whole in *three parts* to be equally divided of the real Estates of those who have Lands, and Subject those that have no Lands to

great Forfeitures and Penalties, and incapacitate all, to bear any Office in the Kingdom.

They are to consider that it will be as hard as unequal for their King and Common Parent, as well as ours to allow a Liberty and Connivance to those that are of worse Principles, or at least as dangerous as the Papists, fought and were active in our last Wars and Miseries against His Majesty, and His Royal Father, and all that were their Loyal and Obedient Subjects, and deny it to those that fought, were Sequestred, Plundered, and Suffered for them; that all the Protestants in the World are not in *England*, and that amongst those in *England*, there are too many (the more is the pity) who have so rent and divided themselves from the Church of *England*, and do so much and so often vary in their Judgments, Practice, and Opinions, as they appear rather to be no Protestants, or very little embracing the Profession and Interest thereof; that our Incomparable and Prudent Queen *Elizabeth*, could never have maintained and supported so much as she did the Protestant Religion, as well *Lutheran* as *Calvinist*, in the Parts beyond the Seas, and that of the purer and better reformed Religion of the *English* Church at home by her Aids, Embassies, Leagues, and Intercessions, if she had not requited the Catholick Princes with the like Indulgence and usage to any of her Subjects that were of the *Romish* Religion, and that neither the Rebellions of the Earls of *Northumberland* and *Westmorland*, for the advance of Popery, many several Attempts to take away her Life, and Plots to Dethrone her, could ever persuade her, or her Learned Successor, notwithstanding the Horrid design of the *Gunpowder* Treason, against him and his Posterity, and the wiser as they should be and better part of his Subjects Assembled in Parliament, to be more than prudentially rigorous to that Party, whose Friends in other Countries might retalliate any Severity used to theirs; And although she made some fierce and smart Laws to affright those that called themselves Catholicks, for principles inconsistent with the Safety of her Sovereignty, and its Government, which in all these Acts of Parliament appeared to be more against the Emissaries from *Rome*, which came to Seduce and lead them into such dangerous Errors, than to forbid any thing that was Innocent in the private Devotions, religious and practical part of it; that Great Queen and King well understanding that they could not by any Rules of State, Justice, or Modesty, of which Princes when there is not so great Inequality, as to give them an absolute Dominion over one another, are usually very tender, require any Ease or Liberties for Protestants living under other Princes, and their Laws, when they can neither promise or perform Mutualities or Reciprocations.

And therefore the Learned King *James* when the House of *Commons* in Parliament had Petitioned him to give some stop to the growth of Popery, one Cause whereof they assigned to be the Interposition of Foreign Princes Embassadors and Agents in favour of Papists; Answered, That they might rest secure, that he would never be weary to do all he could for the Propagation of the Protestant Religion, and Suppression of Popery, but the manner and form they were to remit to his Care and Providence, who could best consider of times and seasons; but his Care of Religion must be such as on the one part he must not by the hot Persecution of our Recusants at home, irritate Foreign Princes of a contrary Religion, and teach them a way to plague the Protestants in their Dominions, with whom he daily interceded, and at that time principally for ease to them of our Profession that live under them.

Rushworth's
Historical Col-
lections.

And in the 21th year of his Reign, in a Speech which he made in Parliament, declared to the Lords and Commons, That it was true that at times, for Reasons best known to himself, he did not so fully put Laws in Execution against

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against Recusants; but did wink and connive at some things which might have hindred more weighty Affairs. But he did never in all his Treaties agree to any thing, to the overthrow and dissolution of those Laws, but had in all a chief care of the preservation of that truth which he ever professed; for as it was a good Horseman's part not always to use his Spurs, and keep strait the Reins; but sometime to suffer the Reins to be more remis: So it was the part of a Wise King, and his Age and Experience in Government had informed him sometimes to quicken the Laws with Executions, and at other times upon just Occasions to be more remis: But as God shall Judge him, he never thought or meant, nor ever in any word expressed any thing that savoured of it, and prayed them to root out Jealousies, which were the greatest Weeds in their Garden.

For certainly to Confiscate two parts of three of a Papist's Lands, or disinherit the next Heir, if bred up in that Religion, can never amount to the avail of Protestants in Transilvania, Hungary, Bohemia, Silesia, Moravia, Poland, Upper or Lower Austria, Piedmont, Flanders, Brabant, and the rest of the Belgick Provinces, nor under those which were United and Confederate, the Hanse-Towns, Bearne, and some other of the Cantons of Switzerland, and the bad enough already used Multitudes of Huguenots in France.

Nor can the Persecution or destroying of the greater part of the Protestants beyond the Seas, to gratifie the humerous pretences, and causeless fears of the more Imprudent, and lesser part of the Protestants of England, be by any rule of right reason adjudged to be for the Protestant Interest.

And upon the like advice and reason may our fears of any Invasion upon our Properties and just Rights disappear, and vanish as soon as they shall with any eye of Judgment be but looked upon; nor will ever be able to endure the touchstone of Truth, when our Liberties are so Impregnable, and fortified by very many of our good Laws and Liberties, and by our *Magna Charta*, and *Charters de Foresta*, more than Thirty times confirmed by Acts of Parliament for those great Charters were never singly or by themselves so many times confirmed by Acts of Parliament.

When by that excellent Law and Charter freely granted in the Ninth year 9 H. 3. ca. 29: of the Reign of King Hen. 3. No Freeman may be taken or Imprisoned, or be disseised of his freehold Liberties or free Customs, be Outlawed or Exiled, or in any manner destroyed, but by the lawful Judgment of his Peers, or by the Law of the Land; no man shall be amerced for a small fault, or if for a greater, saving to him his Contenement, and a Merchant saving to him his Merchandize, 9 H. 3. 14: Earls and Barons shall not be amerced but by their Peers; the King will not sell, deny, or defer any Man either Justice or Right; No Man of the Church shall be amerced, after the quantity of his Spiritual benefit; but after the quantity of his Lay-tenement, and the quantity of his Offence, and a Villain shall not be amerced, but saving his Wainage, and that all things done to the contrary shall be void.

Sureties or Pledges shall not be Charged for any Debts of the King, if the Debtor hath Goods and Chattels to pay the Debt, and is ready to pay. Ca. 8.

None shall be Distreined for more Service than is due. 10.

Common Pleas shall not follow the King's Court. 11.

Those that do commit Redisseisin shall be Imprisoned, and not delivered without Special Commandment of the King, and shall make Fine to the King for the Trespass. 20 H. 3. 3.

By an Act of Parliament made in the Third year of King Edward the First, none 3 E. 1. ca. 6. 9. shall be attached by any occasion, nor fore-judged of life or limb, nor his Lands, Tenements, Goods, or Chattels seised into the King's hands, against the form of the Great Charter, and the Law of the Land.

No

• No City, Burrough, or Town, nor any Man shall be amerced without reasonable Cause; and according to the quantity of his Trespass; that is to say, every Freeman saving his Free-hold, and Merchant saving his Merchandize; a Villain saving his Gainure, and that by his or their Peers.

25 E. 1. ca. 5. By an Act of Parliament made in the 25th year of his Reign.

The King will take no Aids or Prizes, but by the Common consent of the Realm, saving the ancient Aids and Prizes due and accustomed.

6. Aids and Taxes granted to the King, shall not be taken for a Custom.

Ca. 25. No Officer of the King by themselves, or any other, shall maintain Pleas, Suits or Matters hanging in the King's Court, for Lands, Tenements, or other things to have any part or profit thereof.

Ca. 5. There shall be no disturbance of free Elections by force of Arms, Malice, or otherwise.

28 E. 1. 1. By the Statute called *Articuli Super Chartas*, made in the 28th year of the Reign of the aforesaid King, There shall be chosen in every Shire by the Commonalty of the same Shire, Three substantial men, Knights, or other lawful, wise, and well-disposed Persons, who shall be Justices Sworn and Assigned by the Kings Letters Patents under the great Seal, to hear and determine where before no remedy was at the Common Law, such complaints as shall be made upon all those that do Commit, or Offend against any point contained in the great Charter, or Charter of the Forrest, which were ordained to be proclaimed at four several quarters of the year in full County in every year, in every County, and to hear the Plaints as well within the Franchises as without, and from day to day without allowing any the delays which be allowed by the Common Law; and to punish by Imprisonment, Ransom or Amercement according to the Trespass.

Ca. 5. No Common Pleas shall be holden in the Exchequer contrary to the form of the great Charter, the Marshal of the King's House shall not hold Plea of Freehold, Debt, Covenant, or Contract made betwixt the King's People, but only of Trespasses done within the Verge, and Contracts made by one Servant of the house with another.

The Chancellor and Justices of the King's Bench shall follow the King; so that he may at all times have near unto him some that be Learned in the Laws, which be able duly to order all such matters as shall come unto the Court at all times when need shall require.

6. No Writ that toucheth the Common Law shall go forth under any of the Petit Seals.

34 E. 1. 2. By an Act of Parliament made in the 34th year of the Reign of the aforesaid King, Nothing shall be purveyed to the King without the Owners assent.

Statute de Tallagio non Concedendo factum tempore E. 1. By an Act of Parliament made in the Reign of the said King, No Tallage or Aids shall be taken or levied by the King, or his Heirs within the Realm, without the good will and assent of the Arch-Bishops, Bishops, Earls, Barons, Knights, Burgesses, and other Freemen of the Land.

1 E. 3. 6. By an Act of Parliament made in the first year of the Reign of King Edward the Third.

Aids granted to the King, shall be taxed after the old manner.

2 E. 3. 8. By an Act of Parliament made in the second year of the Reign of the aforesaid King, No Commandment under the King's Seal shall disturb or delay Justice.

2 E. 3. No Bishops Temporalty shall be seized without good Cause.

5 E. 3. 12. Justices of Assize shall in their Sessions enquire of the Demeanour of Sheriffs, Escheators, Bailiffs, and other Officers, and punish the Offenders.

No Person shall be pardoned for an Outlawry after Judgment without Agreement with the Plaintiff, or Outlawed before Judgment, until he do yield his Body to Prison.

By

By an Act of Parliament made in the 14th year of the said King, It was assented, established, and order'd, that Delays and Errors in Judgments in other Courts, shall be Redressed in Parliament by a Prelate, 2 Earls, and 2 Barons; who by good advice of the Chancellor, Treasurer, and Justices of the one Bench and the other, and of the King's Council, as they shall think convenient, shall proceed to make a good accord and Judgment. And that the Chancellor, Treasurer, Keeper of the Privy Seal, Justices of the one Bench and the other, Chancellor and Barons of the Exchequer, and Justices assigned; and all that shall intermeddle in the said places under them, shall by the advice of the said Archbishop, Earls, and Barons, make an Oath well and truly to serve the King and his People; and by the advice of the said Prelate, Earls and Barons, to increase or diminish, when need shall be, the number of the said Ministers, and from time to time when Officers shall be newly put in, cause them to be sworn in like manner.

A Declaration by Act of Parliament made in the 25th year of the said ^{25 E. 3. ca. 2.} King's Reign.

What Offences shall be adjudged Treason, and if any other Case supposed Treason not therein specified, shall happen before any Justices, they shall tarry without going to Judgment of the Person until the Cause be shewed, and declared before the King and his Parliament, whether it ought to be Judged Treason, or other Felony.

By an Act of Parliament made in the same year,

No person shall be compelled to make any Loans to the King, or charged with ^{25 E. 3. rot. Parl.} any benevolence.

None shall be Condemned upon Suggestion, Imprisoned, nor put out of his Free-hold, nor his Franchises without Presentment, but by the Law of the Land, or by Process made by Writ Original at the Common Law, nor that none shall be ^{Ca. 4.} sent out of the Franchise or Free-hold, unless he be duly brought to answer, and forejudged by Course of the Law, and any thing done to the contrary, shall be holden for none.

By an Act of Parliament made in the 5th year of the Reign of King Richard the Second, ^{5 R. 2. ca. 7.}

None shall enter into Lands where it is not lawful, or with force, under the pain of Imprisonment, and Ransom at the King's Will.

A Penalty is to be inflicted upon a Clerk of the Exchequer, which maketh out ^{Ca. 5.} Process for a Debt discharged.

By the Statutes of the Fifth and Fifteenth of King Richard the Second, ^{5 R. 2. ca. 7.} where Lands or Tenements are entred and deteined by force, the next Justice of the Peace is Impow'ed to view the force, and by the Power of the Sheriff and County to remove it, and Imprison the Offenders; and by the Statute of 8th of H. 6. whether it be entred by force, or it be continued and not entred by force, may by a Jury impannel'd, and their Verdict, if the Deteiner hath not been Three years before in quiet possession, reseise the said Lands and Tenements, and put the party ejected into his former possession.

A man Impleaded in the Exchequer, shall be received by himself, or any other ^{5 R. 2. ca. 9.} to plead his Discharge.

By an Act of Parliament made in the 12th year of the aforesaid King, ^{12 R. 2. ca. 27.} The Chancellor, Treasurer, Keeper of the Privy Seal, Steward of the King's House, the King's Chamberlain, Clerk of the Rolls, Justices of the one Bench and the other, Barons of the Exchequer, and all that shall be called to ordain or make Justices of Peace, Sheriffs, Escheators, Customers, Comptrollers, or any other Officer or Minister of the King, shall be firmly sworn that they shall not make Justices of Peace, Sheriffs, Escheators, Customers, Comptroller, or any other Officer or Minister of the King, for any gift or brocage, favour or affection.

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13 R. 2. ca.
13. & 14.

By an Act of Parliament made in the 13th year of the said King's Reign, He that will that Swear he oweth nothing to the King, shall be discharged, no Bonds or Recognizances shall be taken for the King's Debts.

2 H. 4. 8.

By an Act of Parliament made in the Second year of King Henry the Fourth, An Affize shall be maintainable against the King's Patentee of Lands without any title found for the King by Inquisition.

4 H. 4. 8.

By an Act of Parliament made in the 4th year of the Reign of the aforesaid King, a special Affize shall be maintainable against a Disseisor by force.

13 H. 4. 7.

Riots, Routs, and unlawful Assemblies are forbid, by a Statute made in the 13th year of the aforesaid King's Reign, and the Justices of Peace near adjoining Impowred to hear and determine the Offences; and if they cannot are to certify the King and his Council thereof.

2 H. 5. 8.

By an Act of Parliament made in the second year of the Reign of King Henry the 5th Commissions are to be from time to time awarded to Inquire of the defaults of the Justices of Peace, Justices of the Affize, Sheriffs and under-Sheriffs, in not suppressing and punishing the same.

1 R. 3. ca. 2.

By an Act of Parliament made in the first year of King Richard the Third, the Justices of Peace may let Prisoners to mainprize, that are Arrested or Imprisoned for light suspicion of Felony or by Malice, and no Sheriff or other Officer shall seize the Goods of a Prisoner until he be attainted.

13 H. 8. 3.

By an Act of Parliament made in the 23th year of the Reign of King Henry the Eighth, A Jury Convicted of giving a false Verdict, if it be for any thing demanded above the value of Forty pounds, and concerneth not the Jeopardy of a man's life, shall forfeit Twenty pounds a piece, the one half to the King, and the other to the Party that will sue for the same, and Five pounds a piece; if the thing demanded be under the value of Twenty pounds, and every one of them in the one Case, and the other make fine, and ransom by the discretion of the Judge, before whom such false Verdict was given, never after be of any Credence, nor their Oaths accepted in any Court.

32 H. 8. 33.

By an Act of Parliament made in the 32 year of the said King, wrongful disseisin shall be no dissent in Law, except the Disseisor shall have been five years in quiet Possession without entry or continual Claim of those who have lawful Title thereunto.

33 H. 8. 39.

The Barons of the Exchequer are by an Act of Parliament made in the 33th year of the aforesaid King, Authorized by Bills of Equity in the Exchequer Chamber, to acquit, discharge, or moderate all Recognizances, Debts, Detinues, Trespases, Wastes, Deceits, Defaults, Contempts and Forfeitures, (Treasons, Murders, Felonies, Rights, Titles and Interest, as well of Inheritance as Free-hold only excepted) according to Equity and good Conscience.

By an Act of Parliament made in the 5th and 6th year of the Reign of King Edward the Sixth, Great Penalties were laid upon those that should buy or sell Offices concerning the Administration of Justice, or any Offices belonging to the King, all Contracts, Bonds, Promises, Covenants, and Bargains to be void, both as to the Buyer and Seller, and the taker of any Gift or Promise to forfeit his Nomination and Interest therein.

31 Eliz. 2.

By an Act of Parliament made in the 31th year of the Reign of Queen Elizabeth,

Three Proclamations shall be made in every Action Personal where an Exigent is awarded, and the Defendant before the allowance of any Writ of Error or Reversal of the Uttery, shall be bound to answer the Plaintiff, and satisfy the Condemnation.

43 Eliz. 6.

By an Act of Parliament made in the 43th year of the Reign of the aforesaid Queen, Every Sheriff, Under-Sheriff, or other Person making any Warrant for the Summons, Arrest, or Attaching of any Person or their Goods, to appear in any

any of the Courts of Westminster, or procuring it without Original Writ or Process to warrant the same, being Convicted thereof, shall be Imprisoned without Bail or Mainprize, until they shall have paid the party grieved Ten pounds, with all his other Damages, and Twenty pounds a piece for their Offence to the Queen, and (for the avoiding of Vexatious Actions) where any recovery is had for Debt or Damages for less than Forty shillings, or not above, no more Costs shall be awarded by the Judge, than the Debt or Damages recovered.

And by the Law Writs of *Habeas Corpus una Cum die & Causa Captionis*, are granted by the Courts of King's-Bench or Common-Pleas; when any are Imprisoned by the King, or any other without Cause shewed to be Bailed if the Cause shall not appear to be Just and Legal.

And if any Man Imprison any of the King's Subjects without just Cause, or enter upon, or take away any of their Estates against the Tenor of our *Magna Charta*, and *Charta Forestæ*, and many of our other excellent Laws and reasonable Customs, he may, although it be by the King's Command, if not legal be punished for the same.

And our *Magna Charta* and Liberties are so Bulwarked and Fortified, as every man may have reason enough to be assured, That the People of *England* and *Wales* cannot upon any Emergencies and Violations of Laws, want relief or Redress.

When the Justices in *Eyre* Instituted by King *Henry* the Second to ride their Circuits until they were by King *Edward* the Third changed into those of Assizes, who in their Vernal and Autumnal Circuits, carrying the King's Justice, and Care of it, into every Shire and County of *England* and *Wales*, to prevent as much as might be their Travels and Expences, to seek it farther from home, did amongst many other Articles and Matters concerning the King and his People, give in Charge to the Grand Juries of the several Cities and Counties of their Circuits, which were Men of good Estates, Knowledge, Experience and Concerns Sworn to present what they should be charged to Inquire of; and direct them to Inquire and present false Weights and Measures, Lands seized into the King's hands which ought not to be seized, or being ordered to be restored were not, of those that were amerced without reasonable Cause, and not according to the Offence, or by their Peers, without a saving to their Contenement; a Merchant without a saving to him his Merchandize, and a Villain without saving his Waynage, and not by the Oaths of good and lawful Men of the Neighborhood; if any Earls and Barons were amerced but by their Peers, and after the manner of their Offences; and if any Man of the Church be amerced, otherwise than according to his Lay-Tenement, and after the quantity of his Offence, and by the Statute of *Marleborough*, made in the One and fiftieth year of King *Henry* the Third, of all other the breaches of the Laws and Liberties granted by *Magna Charta*, and the Charter of the Forrest, and other Articles and Matters to be Inquired of, given unto them in Writing, and upon their Oaths to answer distinctly what they did know Affirmatively or Negatively.

When the Judges of the Court of King's Bench, who do yet retain the power of Justices in *Eyre*, do in every *Easter* and *Michaelmas* Term, by a Select Grand Jury of the County of *Middlesex*, cause an enquiry to be made (although it were to be wished it might be after the antient manner by Articles delivered unto them in Writing, to be distinctly answered unto) Offences committed against the King, and his Crown and Dignity, of all Confederacies, Champerties, Maintenance, Trespasses, Extortions and Grievances done to the King's Subjects, by any Arch-Bishops, Bishops, Dukes, Earls,

Stat. of *Marleborough*, Printed to be in 51 H. 3. ca. 5. but appeareth in the Record to have been only made in Anno 47 H. 3. and without the Preamble published by Mr. Pulton, as in 51 H. 3. *Bract. lib. 3. de Corona. ca. 1. & Fleta lib. 1. ca. 19. & 20.*

Earls, Barons, Servants, Officers, Coroners, and Ministers of the King, or by any other whatsoever, of breach of the Peace, denying of Bail or those who ought to be Bailed, and of all manner of Oppressions and Grievances of the People.

When the numerous Justices of Peace in every County, being as too many of them Baronets, Serjeants, and Men of Law, Knights, Esquires, and Gentlemen of good Quality, Families, Estates and Education, are Sworn and imployed not only to be *Guardians and Conservators of the Peace* of the King and his People, to suppress Felonies, Riots, and the lower and most Common sort of Exorbitancies and Misdemeanors, but to take Care of the Execution of many Laws and Statutes committed to their Trust, and with the Method and Order appointed by our Laws and Ancient and reasonable Customs of presenting an Inquiry of Grievances by our many Court-Leets, Sheriffs, Tournies, and County Courts, Subordinate one under the other to the Superior Courts of *Westminster*, and they unto their Supream Authority, the King. It will be the Peoples own fault, and neglect of their own Concernments; if any Grievances or Oppression pass undiscernable, uncomplained of, or unpunished, or if any Arbitrary Power or Extravagances do invade or break in upon the Nation, who by the fence and care of our Laws, and many times Confirmed Liberties, which for more than 500 years last past, have been building, repairing, and polishing to a perfection more than the *Hebrew, Greek, or Roman* Laws did ever attain unto (the Laws which God himself made for that peculiar people only excepted.)

And may, if by our Sins and Provocations of God Almighty, the Inspector of our unparallel'd Misdeeds, and Punisher of them, when his wrath shall be kindled, and have no longer patience, the Walls of our Happiness shall not be demolished, our Liberties put to the Sword, and our Laws led into Captivity, be as safe as Humane Prudence, and Laws can possibly make them.

More especially when our Courts of Justice at *Westminster-Hall*, are governed by Judges and Men of great Wisdom and Integrity, Sworn to observe the Laws, and Judge according to their Direction; and our Lawyers at the Bars freely permitted with fitting reference rightly to inform and plead their Clients Cases.

And the King's high Court of *Chancery*, the *Officina Justitiæ*, under the *Teste me ipso*, of the Watchman under God of our *Israel*, Superintending over them giveth Writs remedial to all that ask for them with helps for extraordinary Emergencies, or to allay the Severity of Laws, and makes it its business to punish and forbid Frauds and Oppressions. The Masters of *Chancery* Annually stipended by the King *formare Brevia originalia remedialia*, and to be Assistants subordinately to that High and Honourable Court in matters of Account and References.

13 E.1. ca. 14. The Rule of *Chancery* being ever since the Statute of *Westm'* the second made in the 13th year of the Reign of King *Edward* the First, *quod nullus recedat à Cancellaria sine remedio & Concordent Clerici*, and the Officers and Clerks of the *Chancery* thereunto appointed, are from time to time to do their utmost endeavours to provide Remedies for all that Complain, *Nè Justitia deficeret Conquerentibus*. And as to lesser Matters of Complaints, and often Emergencies, Pensioneth by good yearly Salaries, 4 Learned and venerable Men of worth, called Masters of Requests, or *Supplicationum & libellorum* who by turns and courses each Master, being deputed to his Month, have their audience Twice or oftener in that Time of the King, to give Answers to their Petitions.

And the King in matters wherein any of his Rights, and what appertaineth unto him are concerned, gives his People leave by Petition, or *monstrans*
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du droit Traverſes ouſtre les mames, &c. to obtain what they can prove to be due unto them, and where any of his Letters Patents are grievous and againſt the Law, ſuffers them to be repealed by Writs of *Scire facias* brought againſt the Patentees.

And if any of the People ſhould be ſo unhappy in the Intrigues or Difficulties of their Caſes, as they cannot be relieved by any of thoſe provided Remedies from any ſuppoſed Arbitrary Power of their Prince, or any Illegal oppreſſing Actions of one Subject againſt another, they have the Liberty of Appeals from the Inferior Courts of Juſtice, to the Superior, and in Matters concerning breach of the Peace, and of Miſdemeanors within the Cogniſance of the Juſtices of Peace, may appeal from them to the Juſtices of Aſſize, and from them to the King and his *Chancellor*, or *Lord Keeper*, of the Great Seal of *England*; and if not by any of thoſe ways to be relieved, are in Caſes (not concerning Free-hold) not debarred their Appeals to the King, and his Privy Council, where they are, the King himſelf being very often preſent, judiciously and deliberately heard upon all the Pleas and Arguments which the Council Learned in the Law on both ſides, can make one againſt the other.

And Remedies alſo againſt all the Assaults of Grievances, are not difficult to be come at in the Eccleſiaſtical Courts, and Courts of Admiralty, where when the Subjects Complaints cannot be remedied, they do eaſily obtain the King's Commiſſion of Delegates to other Judges, and if that do not answer their Expectations, may have a Commiſſion of Adjuncts to other Judges to be added unto them.

And in theſe or other Courts where the Potency of the one part, and the Poverty of the other, hath diſabled the weaker, from attending the formalities of Juſtice, or croud of many other Cauſes, he may have a Commiſſion *ob lites dirimendas*, granted by the King out of his High Court of Chancery, to ſome good and wiſe men to endeavor as much as they can a more ſpeedy Remedy.

The *Dernier Reſort* laſt Appeal & *ultimum refugium* of the People in their ſeeking for Juſtice, being ſo neceſſarily Inherent in the Crown, as none but they that wear it, can juſtly claim any Right unto it, but have always been enjoyed not only by our *British*, *Saxon*, and *Daniſh* Kings before the *Norman* Conqueſt, but all our Kings which Succeeded them.

And if there they find no help, are like enough, if there be cauſe of Juſtice in their Complaints not to fail of Relief by Petition to the King, when he is aſſiſted with the advice of his Lords and Commons in Parliament.

All which, with many other Laws and reaſonable Cuſtoms, Priviledges and Liberties, like ſo many Cittadels, Block-houſes, Out-works, and Strong Caſtles and Forts, which divers of our ancient and reaſonable Cuſtoms, and Acts of Parliament have in the making of other Laws from time to time been careful upon all occaſions to erect and build, to help to guard and protect their Liberties, Rights and Priviledges, together with the very great care which the Judges reſtraining all *non obſtantes* of Acts of Parliament, and Regal Diſpenſations unto what the Law allows, or to the King's particular Concernments, do take in all their Judgments and Deciſions, Expositions, Applications and Interpretations of Laws to aſſiſt and ſupport the juſt Rights and Proprieties of the Subjects in their Lands and Eſtates, and not in the leaſt to prejudice them in their Common Aſſurances by Fines and Common Recoveries.

The Severity uſed by divers of our Kings in the Punishment of Briberies, Extortions or Byaſſed and Illegal flattering Opinions of Judges.

The Oaths of the Lords and others of the King's Privy Council, who are uſually the Greateſt, Noble, and moſt concerned Men of Eſtate and Intereſt of the Nation.

Oath of the Lord *Chancellor* or Lord Keeper of the Great Seal of *England*, well and truly to serve the King and his People, and to do right to all manner of People according to the Law and Usages of the Realm.

Oaths of the
Judges, 18 E. 3.

Oaths of the Judges to do equal Law and execution of Right to all the King's Subjects, rich and poor, without having regard to any Person, to deny no man Common Right by the King's Letters, nor none other Mans, nor for none other Cause.

Oaths of the King's *Serjeants at Law*, well and truly to serve him and his People, and as duly and hastily speed such Matters as any Man shall have against the King in the Law, as they may lawfully do without delay, or tarrying the Party for his lawful Procefs.

The Oaths of other *Serjeants at Law*, well and truly to serve the King and his People, and truly Counsel them.

Oaths of the Justices of Peace to do equal right to the Poor, as to the Rich; after the Laws and Customs of the Realm and Statutes thereof made.

Oaths of the Sheriffs to do right to Poor as well as Rich, in all that belongeth to their Office, to disturb no Man's Right; nor to do wrong to any Man.

And the Oaths of the Escheators, Clerks of the Chancery, and Coroners, with the Oaths of the Officers of Courts, Under-Sheriffs and Bailiffs, well and to execute Justice.

All which several *Degrees* of Men in the Nation would be as unwilling as any others to have the Lives, Liberties, and Estates of themselves and their Posterities or dearest Relations, sacrificed to a lawless and unlimited Power of their Kings and Princes.

And the Oaths of our Kings at their several Coronations to conserve the Liberties of the People, and observe all the good Laws made by their Royal Progenitors and Predecessors, with the Impossibility that ever the Lords and Commons in Parliament Assembled, will consent to the abrogating of any of the aforesaid Laws and reasonable Customs, be *felones de se*, or deliver up themselves and their Posterities to the absolute Will and Pleasure of their Succeeding Kings and Princes may abundantly evidence how safely and securely the Property and Liberties of the People, until Rebellion, foolishly fancied Fears and Jealousies with their Discords, distrust and plundering of one another, shall put them under such another yoke as *Oliver Cromwell* had cheated them into, may rest, and are like inviolably to continue for ever, protected against any the Incroachments of Arbitrary Power, whilst they live under their King's ancient Government.

Of which His late Majesty was so careful and so willing to dislodge all manner of Jealousies out of the Minds of his Subjects, as he did in the Third year of his Reign, give his Royal Assent, as they call'd it, unto their *Petition of Right*, and made it an Act of Parliament, wherein he not only Confirmed their *Magna Charta*, and *Charta Forestæ*; but the Act of Parliament assented unto by King *Edward* the First *De Tallagio non Concedendo*: The Act of Parliament made in the First year of the Reign of King *Edward* the Third, cap. 6. The Act of Parliament made in the 25th year of the Reign of the aforesaid King, That no Man should be compelled to make any Loans to the King against his will. The Statutes of the 28 E. 3. ca. 3. 37 E. 3. ca. 18. 38 E. 3. ca. 9. 42 E. 3. ca. 3. 11 R. 2. ca. 9. 17 R. 2. ca. 6. and 1 R. 3. ca. 2. Charged all his Officers and Ministers to serve him according to the Laws and Statutes of the Realm, as they tendered the Honour of his Majesty, and the Prosperity of the Kingdom. Banished as he hoped for ever all their Fears of the Infringing of their Liberties, and given cause of Content to them and that Parliament, to such a satiety, such a fulness, and *nè plus ultra*, as unless they would have been

Petition of
Right, Anno
3 Car. Primi.

been *Consortes Imperii*, and require to have a share in his Regality and Government; there was no more to be asked or requested of him, or granted by him.

Imprisoned shortly after in the Tower of *London*, *John* Earl of *Clare*, and the greatly Learned *Selden*, for but having Copies in their Custody of some *Florentine* and Foreign Laws and Customs proposed by *Sir Robert Dudley*, a Titular Duke of *Tuscany*, to be imitated by him here in *England*, as a means to raise Money by Impositions laid upon the People, and caused his *Attorney General* to exhibit a Bill against them in the *Star-Chamber* for Disquieting his Subjects with Fears and Jealousies.

And was so ready from time to time to Condescend to their Infirmities, and give Satisfaction to them in all their Concerns and Scruples, as he suffered those two great Cases of the *Habeas Corpus*, and the *Ship Money* wherein his necessary Prerogative, for the good of himself and his People, was not a little concerned, to be publickly and solemnly argued in the Courte and Method of the Laws *in foro Contradictorio* before the Judges, and shewed no displeasure afterwards, but much kindness unto Justice *Hutton*, and Justice *Croke*, who in the Case of the *Ship Money* had in their Arguments and Opinions delivered thereupon against him in the *Exchequer Chamber*, dissented from all the rest and greater number of the Judges.

And His now Royal Majesty treading the good old Paths of *Queen Elizabeth*, his Grandfather King *James*, and his *Royal Father*, doth in all Matters of difficulty in the absence of Parliaments, where the Laws and Justice of the Nation are likely to be more than ordinarily concerned, consult and advise with the Judges, hath not long ago *Superseded* one of them for some harsh usage, and discontent given to the Countrey in his Circuits, and takes all the care he can to choose and make *Judges*, and his Learned Council at the Law out of the most able, honest, experienced, and eminent practisers of it, and hath but lately in several of his Speeches in Parliament declared and promised, that he would give his consent unto any good Laws which should be by them desired for the further securing of their Religion, Liberties, and Properties, and not long ago answered private and particular Persons of ordinary Quality, Petitioning him for Right to be done unto them in Matters of Law, and some of his own Concernments, that *God forbid; but his People should have Liberty to demand right of him, as well as against any of their fellow Subjects.*

They therefore who do over-busie themselves in the carrying about the Buz of false and incertain rumours, and the dreadful Imaginations of an Arbitrary and Lawless Power, which may be hoped will never happen, nor be able if any should desire it to Attack and Demolish those Impregnable Fortresses, which our Laws right reason long continued good and reasonable Customs of *England*, have built and provided against it.

And do make such lamentable Outcries and Exclamations against Arbitrary Power before it happens, or they can perceive any likelihood of it, and in their Ill-tutor'd Logick would persuade themselves and others it is so; because they are pleased to fancy it is possible it may be so, and cannot be quiet, but do think themselves ill used, if they may not be permitted like the *Andabarae* to fight with their own shadows, and be not a little commended, magnified, and accompted good Patriots for it.

Blench at every thing, turn their Follies into all kinds of Fears and Jealousies, and so strongly fancy them as if they were actually upon them, and will not be persuaded but the *King will deliver us up to Popery and Arbitrary Power, and to that end the King of France hath viewed and founded our Ports and Havens, and with great Armies is ready to invade, destroy, or make Slaves*
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of us and our Generations. But may do better to give some respite to those their needless Affrights, and pausing a while sit down and consider,

What greater assurance his now Majesty, could give to his Subjects, or they desire, than what he declar'd in his Speech to the House of Commons in March, 1661? Gentlemen, I bear ~~you~~ ^{very} solicitous, ~~I thank~~ you for it, since I presume it proceeds from a good Root of Piety and Devotion; But I must tell you, I have the worst luck in the world, if after all the reproaches of being a Papist when I was Abroad, I am suspected of being a Presbyterian now I am come Home; I know you will not take it unkindly, if I tell you that I am as Zealous for the Church of England, as any of you can be, and am as much in love with the Book of Common-Prayer as you can wish, and have prejudice enough to those that do not love it; And do as much desire to see an Uniformity settled as any amongst you; I pray you trust me in that Affair.

In the year 1664. tells them, I do assure you upon my word, and I pray you believe me, That I have no other Thoughts or Design in my heart, but to make you all Happy in the Support of the Religion and Laws established.

In the same year, when they brought him a Bill for the Repeal of the Act of Parliament to exclude the Bishops out of the House of Peers; He said, I thank you with all my heart, indeed as much as I can do for any thing, for the Repeal of that Act: It was an unhappy Act in an unhappy Time, passed with many unhappy Circumstances, and attended with miserable Events; and therefore I do again thank you for Repealing of it, you have thereby restored Parliaments to their Primitive Institutions.

In his Speech unto both Houses in Anno 1672. said, That he would conclude with this assurance, that I will preserve the true Protestant Religion, and the Church as it is now establish'd in this Kingdom, and in the whole course of the Dissenters, I do not intend that it shall any ways prejudice the Church; but I will support its Rights and its full Power.

In January 1673. said, If there be any thing else which you think wanting to secure Religion, there is nothing which you shall reasonably propose, but I shall be ready to receive it.

In April 1675. said, The Principal end of his calling the Parliament now, is to know what you think may be yet wanting to the security of Religion, and to give my Self the satisfaction of having done the utmost of my Endeavours.

In February 1679. said to both Houses of his Parliament, I declare my Self very plainly unto you, that I am prepar'd to give you all the Satisfaction and Security in the great Concern of the Protestant Religion, as it is establish'd in the Church of England, that shall reasonably be ask'd, or can consist with Christian Prudence.

6 March 1678. I do give you this assurance, that I will with my Life defend both the Protestant Religion, and the Laws of this Kingdom.

In January 1673. If there be any thing you think wanting to secure Property, there is nothing which you shall reasonably propose, but I shall be ready to receive it.

Febr. 15. 1676. said to His Two Houses of Parliament, I do declare my Self freely, that I am ready to gratifie you in a further Security of your Liberty and Property (if you can think you want it) by as many good Laws as you shall propose, and as can consist with the Safety of the Government, without which, there will neither be Liberty nor Property left unto any Man. And let all men Judge who is most for Arbitrary Government, they that foment such Differences as tend to Dissolve all Parliaments; or I, that would preserve this and all Parliaments from being made useless by such Dissolutions.

And remember that there was a Time not long ago, when the Phanatick Party, who at this Time are too great a part of England, and some of the
Presby-

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Presbyterians were not in the heretofore justly stiled the Long and Rebellious part of a Parliament so much afraid of Arbitrary Government as now they do seem to be.

When in that Long and Unhappy misnamed Parliament they procured to be Voted down as many as they could of their Sovereign's Rights, Methods, and means of Government in an Ancient and well Established *Monarchy*, overturned *Peerage, Episcopacy, Tenures*, and many other of our Fundamental Laws, warranted by the Laws of God and this Nation, and as if they feared that Rebellion, raising of Armies, and Chacing and Fighting against their Pious and Religious King, who never gave them any Cause for it (if any Cause at all can ever be assigned, or able to justify Rebellion) should not be Sin enough, made all the hast they could to add Sacrilege unto it, and placed in themselves an Arbitrary and boundless Authority over him, unto whom they had Sworn an Allegiance due to Superiority, trampled upon all their fellow Subjects, Plundered, Sequestred, and did all they could to Perjure the Loyal part of them, destroyed the Privileges of Parliament, suffered some of their own Members to be pulled out of the House of Commons, and Imprisoned by Soldiers and Red-Coats (one whereof was by his own Confession an *Irish Popish Priest*) and by the Assistance of their over-pow'ring Army, voted down, suppressed, and shut up the House of Peers, as useless and dangerous, inforced themselves into a Republick and the Nation, who by the Laws of God and the King, and their Oaths of Allegiance and Supremacy, were bound as well as themselves to the contrary, to Ingage never more to admit of a King and House of Lords, and in some of their Answers to their Brethren of *Scotland*, who urged and taxed them with some of their Promises concerning His late Majesty, said that they hoped they would not make their *Promises* to be *Obligations*. And in their Declaration Printed and Published to give Satisfaction to all the World, that would believe them of the Reasons of their Actions; and turning themselves into a Common-wealth, endeavoured to assert that in all *Promises* a Tacite Condition and Proviso was ever to be understood as annexed unto them, *So always that they did not prejudice or inconvenience the Party promising*.

And forgetting that they had prosecuted the late Earl of *Strafford*, and caused him to be put to Death, upon a pretence of his Subversion of Laws, which he never did, but they themselves really and frequently did, Murdered their King, Banished His now Majesty the Prince, and the rest of his Children, and used their utmost endeavors to Extirpate all the Royal Progeny, scorned and abused the Laws, tumbled, tossed and ploughed up the Liberties, Proprieties and Estates of the Loyal Party, and made some *Ignotos* and invisible (they themselves never knew) and who were less to be understood than King *Oberon* and his Fairy Queen, to be stiled the Keepers of the Liberties of *England*, voted the Courts of *Chancery, King's-Bench, Common-Pleas*, and *Exchequer* to be dissolved, and ordered the Records thereof to be destroyed and thrown into the River of *Thames*, and were not all that while in dread of any *Arbitrary Power*, and a *Standing Army*, when to the great Charge of the People they could not think themselves safe without it. But tamely suffered *Oliver Cromwel*, their *Man of Sin* and greatest of Hypocrites to put a trick upon them, and teach them the Truth and Doctrine of Divine Retaliation by dissolving the Reliques of the over-long Parliament, pulling out the remaining Members with Soldiers and Musquetiers, and shutting up the Doors of that *House of Commons*, and could for the Preservation of their ill-gotten Estates, like *Isachar*, bow down unto the burden, and be well content to believe it to be no violation of the Privileges of Parliament, no *Arbitrary Power* or Introduction to it, nor any Destruction of the Liberties of

the People, and suffer him upon the 16th of *December 1653*. in the presence of the Commanders and Officers of his Army, attended by the miscalled Lords Commissioners of the pretended great Seal of *England*, Lord Mayor and Aldermen of the City of *London*, divers of the over-awed Judges of the Land, and many other Persons, said to be of Quality, to declare himself by an Instrument in Writing of his own framing, Protector of the Commonwealth of *England*, *Scotland*, and *Ireland*; Disannul and Abrogate the antient form of Parliaments, constitute a New, and Ordain that the Persons Elected to be Members for ever afterwards should be approved by the major part of his Council, and the succeeding *Protectors*; who were most of them *Major Generals* and Commanders in his Standing Army of Oppressors: That an yearly Revenue should be raised, settled, and established for the maintaining of *Ten Thousand* Horse and Dragoons, and *Twenty Thousand* Foot in *England*, *Scotland*, and *Ireland*, for the Defence and Security thereof; and a Convenient Number of Ships for guarding of the Seas; besides *Two hundred thousand Pounds* per Annum, for defraying the other necessary Charges and Expences of the Government.

Which Revenues were to be raised by the Customs, and such other ways and means as should be agreed upon by him and his Council.

That the Lands, Tenements, Rents, Royalties, Jurisdictions, and Hereditaments, which remained unfold and undisposed by Acts or Ordinances of Parliament belonging to the Common-Wealth (except the Forests and Chafes, and the Honors and Mannors appertaining thereunto) the Lands of the Rebels in *Ireland*, and the four Counties of *Dublin*, *Cork*, *Kildare*, and *Caterlaugh*; the Lands forfeited by the People of *Scotland* in the late Wars, and the Lands of Papists and Delinquents in *England*, who had not then Compounded, should together with the Debts, Fines, Issues, Amerciaments, Penalties, and Profits certain and casual, due to the Keepers of the Liberties of *England* by Authority of Parliament, be vested in the Lord Protector and his Successors Lord Protectors of the aforesaid Nations, not to be aliened but by consent of Parliament; which made him no less an yearly Revenue, as some of his own Party did calculate it then *Eighteen hundred Thousand Pounds sterling*, per Annum.

That for the preventing of Disorders and Dangers which might fall out both at Sea and Land, he should have Power until the meeting of the first Parliament (which was to be once in every Three years) to raise Money for the purposes aforesaid.

And to make Laws and Ordinances for the Peace and welfare of these Nations, which should be binding and in force until order should be taken in Parliament concerning the same.

That the exercise of the Chief Magistrate, and the Administration of the Government over the said Countries and Dominions should be in the Lord Protector, assisted with a Council not exceeding Twenty one, or less than Thirteen.

That he should in the Intervals of Parliament, dispose and order the *Militia* and Forces of the Three Nations for the Peace and good thereof, with the advice and consent of the major part of his Council.

That the Number of 60 Elected and chosen or approved as aforesaid (being easie enough to be tempted by Preferment, or over-awed by a standing Army) should be deemed a Parliament for the Three Kingdoms of *England*, *Scotland*, and *Ireland*; That he and every successive Lord Protector, should take an Oath that he would not Violate or Infringe the matters and things contained in that Instrument of Government.

And

After Crom-
well's Instru-
ment of Go-
vernment.

And when afterwards to prevent the Juries Scruples of Conscience and unwillingness to give their Verdicts against the Law, and the King's Loyal Party, as he would have them, erected in *Westminster-Hall* his High Court of Justice, or *Shambles*, as some of the People not unfitly termed it, adorned with Red and Blood-demonstrating Colours, to Try and Condemn such Innocent Persons as he should call Offenders; not according to the Law, but the unbounded rules of his vulgar Reason of State, guided by a standing Army of 30000 Horse and Foot, baffled and disgraced the Laws and reasonable Customs of *England*, maimed and cut off as much as he could of it, as *Adonizedek* did the Thumbs and Toes of his Captive Kings; altered and destroyed all he could the form and rationality of the Proceedings thereof, and caused the Writs and Pleadings, form and frame thereof to be translated, and only used in the *English* Language, on purpose and with a design to Abrogate them, and make way for a new Fabrick and Engine of Laws, for the establishing of his intended absolute manner of Arbitrary Government; encouraged and Pensioned Mr. *White* a profest Papist, and Mr. *Hobbs*, Men of great Learning, which might have been better Employed, to Write and Publish Books to vindicate and justify the necessity of an Absolute Power in Supreme Magistracy; and others to Write and Publish their unsound Opinions, that Copyhold Estates were a Badge of the *Norman* Slavery; that the eldest Sons or only Daughters in every Family had no right to any more than a double Portion of their Father's real Estate; that University-Learning was needless; with a purpose to Confiscate their Revenues; and Payment of Tythes unlawful; permitted Servants to betray and sequester their Masters, Tenants their Landlords, Wives their Husbands, and Children their Parents; only because they were unwilling to be Perjured in their new Oaths and Engagements, or wretchedly willing to forsake their Loyalty and the Laws of God and the Kingdom; suffered his illiterate Commanders to threaten to pull the Gowns from off the Lawyers Backs, and Publickly to declare, That it would never be well until their Gowns were like the Colours taken from their Subdued *Scots* Brethren hung up in *Westminster-Hall*; made his Major Generals Governors in several Provinces, who abusing and domineering over the Laws, Imprisoned men without Cause, and suffered the Nobility of *England* to stand bare and uncovered before them, and to be Arrested and Drag'd in the Streets by Bailiffs and Catchpoles for Debt, when they had nothing left to pay them; Prohibited, ejected Orthodox Ministers to bring Actions at Law for recovery of their Rights; and all others to demand or seek to recover at Law their Debts or other Rights, by any Actions or Suits in Law or Equity, unless they took the aforesaid Engagement against the King and House of Lords; tired and almost starved with tricks and delays, the poor deprived Ministers Wives and Children of their fifth part of the Profits of their Husbands and Fathers Benefices, which they seemed to allow unto them; gave a considerable yearly Salary duly paid to *Lilly* the fooling and cozening Astrologer, to foretel in his *State* as well as *weather* Almanacks, good or bad Events, to *Lacquy* after his accursed Designs, and positively assert by his pretended intimacy with the Stars, that in such a year before His Majestie's happy Restauration, Prince *Rupert*, who God be thanked is yet living, was certainly to be Hanged.

Constituted a House composed of his Army Commanders, and some other of his *Nymrods* and Deputy-oppressors, many whereof had been formerly well instructed in the Arts of *Coblers*, *Draymen*, and *Bodies-making*, &c. and instead of an House of *Peers*, called it the *Other House*. And when Mr. *Coney* a *London* Merchant, being Imprisoned against the Law without a Cause shewn, had brought his *Habeas Corpus* to be Bailed, sent Mr. *Maynard*, Mr. *Twisden*, and Mr. *Wadham Wyndham* his Lawyers, Prisoners to the Tower of *London*; for

for Pleading for him, and the Liberties of the People; and called our *Magna Charta*, *Magna farta*; Prohibited all Lawyers to Plead for any of the Sequestred Orthodox Ministry, that would not crouch under, and kiss the Rod of their Persecution.

Many notwithstanding of those better now than they were before Informed Members of that over-long and unhappy Parliament, and continued to be Members of Parliament through all the Changes; from thence to *Oliver*, and from *Oliver* to his Son *Dick*, seemed not then to be out of love with those new Authorities or over-turning *Rota's* of Government, Laws, and Liberties.

And too many of the gaining and *Phanatick* Party, who might have foreseen the dismal Apprehensions of an approaching Arbitrary Power, had in the days of *Oliver* and his Son Mr. *Richard* so little a dread, or were not so much afraid of it (when they had reason to have been a great deal more) as they being no small Gainers by it rejoiced in it, thought themselves happily placed in the blessed Land of *Canaan*, and Conducted into it by the hand of Heaven, and Singing a *Magnificat* to *Oliver*, and a *Requiem* to themselves, and their chosen Posterity, could be at no rest until they had obtained Declarations out of many Counties and Cities, subscribed by the most considerable Men of their Rebellious and Sacrilegious Party, and caused them to be Printed and delivered unto his Counterfeit *Highness*, with Solemn Addresses upon their Knees, and other actions of Veneration, by some of their most active Accomplices; wherein they stiled *Oliver*, *Moses* and *Joshua*; made up his Praises with almost Blasphemy, and prayed for the continuance of his Care for their Protection, and as they called it the Publick Good; and were after his Death as busie with the like Adoration; several solemn Declarations, Addresses and Thanksgivings to his Son *Richard's* ridiculous parcel of *Highness*.

Wherefore they who were then so willing to bow their Necks under the hard galling Iron yoke, which a Long Parliament by Colour of a false Authority, assistance of a standing Army, and a Rebel Brewer had put upon them.

And to take Arms against their own Happiness, and betray their own good Laws, Liberties, Privileges and Customs to Usurpers, which were so unparallel'd, as the Devil with a pair of Spectacles cannot upon the most malicious and exactest search, find any Nation under Heaven so happy and blessed as *England* hath been, in the security of their Liberties, Properties and Privileges, since the beginning of the Reign of King *Henry* the First, thorough the Reigns of all our Succeeding Kings; who upon the least appearance or complaints of Grievances, either as to particulars or generals, *raro contingentibus*; or but feared or likely to happen, never denied good Laws and Remedies to their People, as all our Law-Books, Year-Books, Reports of Cases, Adjudged Parliament Rolls, and Books of Statutes will abundantly testify; may with shame and horror of so foul and grand ingratitude recall to their remembrance, that they that were the Disciples of the late Wars and Usurpations, and gainers by the Ruin and Misery of this, and two other Kingdoms, by their Arts and Power of cheating and haring their fellow Subjects out of their Loyalty, Religion, Estates, Laws, and Liberties.

Could be well contented to receive of His Majesty after his Return from his Distresses, not only a Pardon (unto all, but a few excepted) of their great and many Offences and Misdeeds, after that he had by several Acts of Parliament Unfornicated or Unadulterated the Wives and Husbands, and Legitimated the Children of those that were mis-married, and taken away the Errors of their Illegal Proceedings and Judgments,

ments, and Recoveries had at Law, in the time of their many years abominable Rebellion; but the greatest acquital of Money, Arrears, and Forfeitures due unto him, amounting unto many Millions Sterling, that ever any People of *England* had and received of any of their Kings and Princes at once, with an Addition afterwards of another Pardon or Abolition of a lesser size, for Offences and Forfeitures since committed, and did not only restore unto all the Cities, Boroughs, and Corporations of *England* and *Wales*, their forfeited Charters, Privileges, and Liberties; but enlarged and gave unto many of them, more than they had before.

And was so unwilling to Punish those that had done him and his Royal Father, Mother, Brothers, & Sisters, those almost impossible to be forgotten or forgiven most execrable Villanies, as he not only Pardoned, but gave them profitable Employments; who to their shame cozened him all they could, and moulded themselves into a Faction of Repeating as many Impieties as they had been guilty of before, and was so over Clement and forgiving, as he employed, and did not Punish one that was proved to have said after His Majestie's escape from the Battel of *Worcester*, That if he had been taken, he ought to have been stripped stark Naked, led through the Streets with a Bridle thrust through an hole bored in his Nose, Whipped at a Carts tail, and afterwards Hanged.

Are not to be very angry; or take it ill if they be charged with Partiality or Injustice; or as great a Reproach as our Blessed *Saviour* bestowed upon the over-quick-sighted fault-finding *Pharisee*, who could espy a mote (as he thought in another's eye, but not see a beam in his own) but rather retire into themselves; and upon a more strict Examination of their past evil Actions, abhor themselves in dust and ashes, cover their heads with shame, weep, repent, and resolve to walk retrograde, and persist no more in the gain-saying of *Corah*, *Dathan*, and *Abiram*; wherein they perished.

When they who would make every body as much afraid as they themselves, do seem to fear an Inclination in His Majesty to an Arbitrary Power, which he never did, or is willing to exercise, can almost every day joyn with others in Complaints of the no few of the Subordinate Magistrates, usurping it against the mind and direction of the King and his Laws over their fellow Subjects, by their Irregular courses; Condemning, and many times Imprisoning without Jury, Trial, legal Hearing, or Proceedings.

And easily discern an yearly Custom of an illegally over-strained Power in the Lord *Maiors* of *London*; Electing and Drinking unto many or more than needs, in the Choice of two to be Sheriffs of *London* and *Middlesex* for the ensuing year; and imposing and taking great Fines of the Refusers, unto whom he needed not to have Drank, whereby to gain some Thousands of Pounds yearly for the Fines of such as were unwilling or unfit to bear the Charge or Expence of those Offices, and Imprison and Constrain them to pay them; which are seldom less than 4 or 500 *l.* upon every such Refuser. As if some fatal and successive Annual, or fit of Thirst, or kind Drinking, was at a certain Time of every year to fall upon the Lord *Maiors* of that City to Drink more often, and unto more than he should do. And they that shall happen to be so imposed upon, are sure to be out of hopes of getting themselves discharged of Imprisonment, for not paying the Fine by Writs of *Habeas Corpus* and Bail; which if the King should do every year in the Choice of Three presented unto him to serve as Sheriffs in all other Counties and Places of *England* and *Wales*, (no other City or Place therein making use of such a kind and loving Device to raise Moneys) the *Habeas Corpora* Bells would Ring in all the Courts of Justice in *Westminster-Hall*; and His Majesty would be troubled with the noise thereof.

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And

And no small Arbitrary Power in their Courts of Orphants in *London*, by Imprisoning a young Man in *Newgate* without Bail or Mainprise, that had lawfully Married a City Orphant, and his Father in like manner for contriving it.

19 H. 7. ca. 7. And we may often hear and observe in the *Guilds*, *Fraternities*, and Companies of Trade, and their Mysteries in the City of *London*, an almost unbounded over absolute Power in their *By-Laws*, which should be perused (as it is more than a little probable they are not, or but very seldom or cursorily) by the Lord Chancellor, or Lord Keeper of the Great Seal of *England*, Lord Treasurer, and the two Lord Chief Justices, and allowed by them or any three of them, to be according to the Law; together with their giving of unlawful Oaths, imposing of Taxes, Quarteridges, or Fines and Assessments as they please upon the Poorer sort of the Companies of Trades, supernumerating their Livery Men in their Companies, in making them to be twice as many as they were wont to be, and inforcing them to Pay 20 or 25 *l.* a Man, and be at the Charge of a reverend Gown faced with Furrs of *Foynes* or *Budge*; and Imprison Men for not obeying them and their grinding superfluous Orders.

The Exactions and Arbitrary Power of the Church-Officers in the City of *London*, and its overgrown Subur^g Parishes, in the Renting of Pews and Seats in the Churches; making Strangers pay great and double Fees for Tolling the Passing Bell, and Ringing of a Peal, when there was no such Matters; taking great Fees for Burying of the Dead in the Church or Chancel; near an Husband, Wife, Father or Mother, Brother or Sister, where before they have lain there a quarter of a year, or a little time, they are sure to be taken up again, and flung into a Common Vault, to lodge amongst those that were Buried far cheaper, conniving at, or permitting the Parish Clerks, Sextons, or Grave-makers to sell the broken and sometimes pillaged Coffins of the Dead to be made fewel for fire or Bake-houses, cozening the Living and Dead, feasting and fattening themselves upon every small Consultation and Parish meeting, for the good as they call it, or little Business of the Parish; as for the putting out a Bastard or Foundling, or poor Parish Child to a Beggar to beg with, and trouble the Streets withal at a low weekly rate, and take the advantage to themselves of reckoning by a greater, which have been the cause of such short Memories in Parish Politicks and Governments, as the Accompt of a Legacy of Three hundred Pounds *per Annum*, as they may be now demised, in Houses and Tenements in a *London* Suburb Parish, for as many hundred years ago, for the Building of the Church yet standing upon its old Ruins, is so vanished as it is not at all to be found, and a royal Charity of One hundred and Twenty pounds given in the year 1625. by King *Charles the Martyr* in a Time of Pestilence, could never be heard of, and the Church-wardens or Collectors of a near *London* Parish have been so overwatched for the good of the Parish, and thereby rendred so sleepy or *Lethargick*, as they could not good People as they would be thought to be, tell which way One Thousand or Two Thousand pounds have escaped out of the Accompt, and the fault must be charged more upon the want of Honesty than Arithmetick. And may be found as greatly mistaken in their no seldom Parish Annual Legacies, Communion Charities, or otherwise; and in their Taxes or yearly Collections for the Poor, which in some out-Parishes near *London*, have amounted unto Two thousand pounds *per Annum*, and many times several Hundred pounds *per Annum* in lesser Parishes; and yet the Poor pester the Streets, and complain of their Parish-starving Weekly Allowances, when Houses of Forty pounds *per Annum* therein, are by a constant yearly Tax burdened with Sixteen shillings *per Annum*, to be quarterly paid towards the relief

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lief of the Poor; though many Charities, and the yearly improved Rents of Lands assigned thereunto, ought to have lessened it, or by their taxing or laying heavy burdens upon such as shall disoblige them or withdraw their Custom from their Shops, Taverns, or Ale-houses, or to ease a Friend, or any that can make a periwading Application unto them, or to charge one man more heavily than he should be to ease another that might better bear it, will adventure to convert the Monies given for the setting up, or seeking young Tradesmen to their own use, or of their own Children, Son-in-Laws or Kindred, and making their Wives Jointures of Lands given to Charitable uses, which they cannot tell how to be ill done in regard of that often misguiding, and misapplied, saying, *That Charity beginneth at home*; take Five shillings at a time out of the Dish or Bason of the Money given to the Poor at the receiving of the Sacrament, to satisfy a wicked Church-warden for his Attendance; and as much sometimes in the gathering of Money or Benevolence for the *Lecturer*, who might have saved that Money if he had Preached them in to better Consciences; as when after a long attendance they are to pay a charitable gift for the Marriage of poor Maid-servants, or to such of that sort as have served one Master or Mistress in that Parish for such a number of years, do think the *Devil* will not be friends with them, if by some lye or pretence as that the Rents of the Lands are fallen, a Tenant broke or insolvent, they do not drive them to take a pittance, or scarce half of what is due; and howsoever must give a Release or Receipt for the whole: to the end that all may be reckoned, when a great deal less was paid.

And do think that they have as great an Authority under colour of Publick good, not at all, or but little intended, to grind and do what they please, and with as much Extravagancy in many of their illegal orders and doings within the small compass of their little Dominions, as if all the rest of the Parish were only of the Tribe of *Issachar*.

And every City, Borough, and Corporation in *England* and *Wales*, will not think themselves furnished with Arbitrary Power, sufficient by their Charters, unless by their *By-Laws* and subordinate Rules of Government, they can have some out-leaps and incursions, and inforce their Inhabitants to an obedience of their many times unjustifiable Orders, Fines, and Assessments.

The Companies of Trade in *London*, whose Charters and Incorporations were granted for the better ordering and governing of an honest and regular way of Trading, with a conscionable and reasonable gain; not to spoil and falsifie the Manufactures of the Kingdom, and enhance the Price thereof, are not to suffer Tricks to be plaid with it to deceive and abuse the People.

The Drapers cannot produce a Charter, or an Allowance from God or Man, to cause their Cloth to be stretched or Tenter'd, to make 16 yards 20; and when a new created Trade called a Cloth-drawer shall have hid, and cunningly dearn'd up the holes or cracks in it by a device of Hot-pressing it so slick and smooth it, as it shall feel and look rather like Silk than Cloth, sell it for 20, 25 or 30 s. *per* yard; which if it were not so misused and made to be almost old before the Taylor can have shapt it into a Shute of Apparel, would be worth but 16 or 18 s. *per* yard.

And it is more than an Arbitrary lawless Power for a Goldsmith to melt down as much heavy Money as he can come at into silver Plate; and sell Tobacco and Powder-Boxes, Staff-handles, Pomels of Swords, Cup-handles, and most of the smaller pieces of Plate in the Kingdom, of drossy Silver, not half the value of Sterling, and prove them to be toucht or markt for Sterling, when it will not be worth half the Money they do sell it for; fill Rings by an Imperceptible hole with powder of Copper, and make the Buyer pay for pure Gold, when it is for a great part no such matter. Infomuch as a great
part

part of the Plate of the Nation is now so much abased, as it is not half the value it should be.

It is a more than Arbitrary and illegal Power in the Vintners, who besides the great Adulteration of the Wines beyond the Seas before they come hither, will have the assistance of the Wine-Coopers to unwholsom them with Arsenick in the Sack; and many other unhealthful mixtures in their other Wines, and by that, and the Vintner and his Drawer's Deputy-Conjurations, can to please the humour of the Customers; fit him out of half a dozen small Vessels or Bottles; and laugh as they say in their sleeves, (and perhaps the Drawer may get a Sixpence into the Bargain) for drawing it so specially to think how neatly they are cozened; howsoever the rate must be what they shall set, tho' the King and his Privy Council do often put a price upon their Wines; yet if the more honest Drinkers will not pay the Vintner's own exacted Rate, for that which is good they must take the bad enough to poison a Dog. And if some fall Sick upon it, as many have lately done and dye, by no great quantity moderately drank of it, that shall never disturb the Conscience of the Vintner, who thinks it for the Publick good, that he in a short time hath from a poor Tavern-Boy made himself worth 20000 £. or 30000 £. and his Wife the Mistress of a Pearl Neck-lace (not Counterfeit, as his Wines were) of a great value.

And makes no doubt but although he Repent and come into the Vineyard of the Almighty at a late, or but the eleventh hour, he shall not go without his Penny, and if he purchase an Hospital, or some other charitable Uses, and leave it in trust with as honest an one as himself, it will do the business.

The Brewers cannot believe their Trade can subsist without the aid of an unjustifiable Arbitrary Power, who though they be allowed by the King, and excused for the Excise of three Barrels of Beer in every score, and steals as much as they can notwithstanding of the duty of the Excise from the King and his Officers; and the Housekeeper pays the Excise for all that he takes of him. Yet from his Beer (though Mault, Coal, and Hops be never so cheap) or Ale, the best must be taken off, and the remainder being only water half boiled flung upon the strengthless grains is sent and served to the House-keeper for 6 s. Beer with the Excise laid upon it, and made to be a Drink not fit to give Beasts, quickly stinking and souring, and by the Opinion of the London Physitians is a great, if not an only cause of the Epidemick and now more than formerly Infection or Disease called the Scurvy, not so much as heretofore taken notice of in the Bills of Mortality, and that Beer though always over-hopped and imbittered, to supply the want of Mault, the People are constrained to be content with; and if they will have it better, are to pay Eight shillings a Barrel besides the Excise, for that which should be but Six.

All which, or a great part of it, might by the Justice and Laws of the Nation be redressed, if the Vintners, who by a late Trick of glass Bottles, now used in most Taverns, bespoken and made to be but or not so much as a Pint and an half, instead of a Quart; and their elder Brethren the Brewers were but put in mind as they ought to be of the Statute entituled *Assisa panis & Cervisie*, made in the 51 year of the Reign of King Henry the Third. And another Statute made by that King in the same year called the Statute of the Pillory and Tumbrell, both yet in force and unrepealed, whereby the Offenders, Vintners, Brewers, and Bakers, are to be presented and amerced; and for every default, the Baker is to be adjudged to the Pillory; and the Brewer and Vintner to the Tumbrell, which was as it were in a Ducking-Stool (now sometimes used over cleaner waters, and applied to notorious Scolding and unquiet

unquiet Women) hanging over some muddy and unwholesome water, being the Punishment of the *Fossa* or stinking Pits, appropriate by the Grants of divers of our Kings to the Lords or Owners of great Mannors or Liberties, having *Affisas panis & Cervisiae*.

Which ill doings of the Brewers in their unconscionable and unchristian-like Arbitrary Power, exercised as far as it can be stretched upon their fellow Subjects, are imitated by the Alehouse-keepers, the Inferior and Retailing Masters of the *Tap*; who would never have it be said or proved, that they come short of their *Founders* great Abilities in the Arts or Knaveries of the *Drink* Profession, or any of their Subtilties or Exactions. And therefore to make it go with a double, at the least rate or price, or much more than it should be, have to cheat and cozen the People in to an idle and ridiculous Expence, devised several Names for Drinks, as they shall please to call them, though there be little or nothing of the supposed Ingredients in them; as *Cock Ale*, *College Ale*, *China Ale*, *Scurvygrafs Ale*, *Lymmon* or *Orange Beer* or *Ale*, *Hull Ale*, *Northdown Ale*, *Sambach Ale*, *Doctor Butler's Ale*, *cum multis aliis*; For which Adoptions, sundry of those *Promoters* of Drunkenness do think they shall serve the Devil for nothing, if they be not paid a double or greater rate; and by that means and those measures, make a shift to clear Four Pounds a Week, and put it to griping Usury, and in a short time make themselves the Owners of 3 or 400 *l. per Annum*, and some of them 7 or 800 *l. per Annum*; And in their *Ale-honesty* can take no less in the Suburbs of *London* than a *Peny* for a Pint of Ale, when in *Southwark* on the other side of the *Thames*, better Brewed and made can be sold for an *Half-Peny* a Pint.

The Woodmongers or Colliers can leap over all our Laws as they list; and by Confederacy keep back the Collier *New Castle Fleet*, and make them tarry in the lower part of the River of *Thames*, and send up to *London* some stragling Cole-Ships to scarce and enhance the price of Coles; insomuch, as until His Majesty after many Complaints, and a tired Patience, had taken away their Charter, they would at every extraordinary Frost or winterly weather, never fail to raise the rates of Sea Coles in the space of a few Days, or less than a Week, unto 5, 10, or 20 *s.* at a time, and sometimes as high as 3 or 4 *l.* a Chaldron, to the great Affliction and Impoverishment of the poorer sort of People; when they might as they have done since the taking away of their Charter, have afforded a Chaldron of Coles with gain enough under 20 *s.* a Chaldron.

Neither need we to have any Jury or Inquest impannelled in the search of an Arbitrary Power, daily made use of in the City of *London* and Suburbs thereof by the People over one another, the mighty over the weak, and the rich over the poor. And the Usurer and man of Money, when he takes as much above the legal Interest, for the loan of his Money, as the necessities of the distressed Borrowers can perswade him unto, and upon the Severity of an Execution, or a forfeited Mortgage of Lands double or treble in value to the Money lent, looks as *Nebuchadonozor*, overlook'd his *Babylon*, walks about like a *Mogul*, or some unlimited Monarch of the *East*, and as pitiless to the Supplication of the lamenting suppliant Borrower, and the tears of his Wife and Children, as the Hunger-bitten Wolf is with the Lamb under his bloody Paws and Fangs; In company of whom do march, the insinuating Imp of the Devil called the *Tallyman*, with his closer and more Consumptive secretly biting Usury, lending Eighteen Shillings to Market-Men and Women *Heglers*, &c. Such as cry necessary Food in the Streets, instead of 20 *s.* upon the *Tally* and their own Security, at the interest and rate of 12 *d.* duely paid every Week, although continued at that pace a year together, being a cunning piece of Usury, far exceeding that of the *Jews*; who in the Reign of our

King *Richard* the First, were by the Common People Massacred, and the *Caurfini* the Pope's Brokers banish'd by King *Henry* the Third, for much gentler Usuries followed by that of the lesser *Pinching Money-Improvers*, who will lend 10 *l.* for no longer than a Month, and at that or every Months end, call fiercely to have it paid in, to beget the former or a greater Brocage.

When all the Trades of *London* and *Westminster*, and their largely overbuilt Suburbs, can by an unreasonable and Arbitrary Power to maintain their unfitting Pride and Luxury, impose and put what price they please upon their Work and Commodities, and not a few do upon every occasion or opportunity of their interest and advantage break and run over our *Magna Charta*, and other the Laws and Statutes of the Kingdom. And when they trust their Customers, without which there would be little or no Trade, do when such Buyers dream nothing of it, clap an hard interest into the price; and if need be, in writing over their Books again, make where it may be undiscernable an addition unto it.

The *Mercers* can order their Silks and Stuffs to be made slight and little lasting, and half-yard broad, when it should be a greater measure; and every Month of *May* or Summer Season put a Nick-name, or some *Cabalistical* or *Utopian* devised word upon it to make the Buyers give the more; and be fond of it.

And since our times of Mad-mens contriving Reformatations, and opening the passage to all manner of Tricks of Trade and Deceits; there is in every Week a meeting of most of the bigger sort of Retailing Trades in *London* and *Westminster*, where they do agree their Prices for some good part of time afterwards, and bind one another in Bonds not to sell under; and in the mean time take more than ordinary Care to give the Manufacture-men but half the Wages which they gave them Weekly before, whereby to ingage them to make it slight and leave the more room or liberty for the Seller to lye and swear the Commodity to an higher price. Which makes the *Stationers* sell not only their Paper at an higher rate than formerly; but so ill made, as either it will not bear Ink, or must be as stiff, hard and uneasie to write upon, as if it were a board, and requires a Pen of Iron or Steel, rather than the usual Pens to write upon it; and the Parchments so ill dressed, as makes that which shall be written upon either that or Paper, to be so little permanent and lasting, as all our Memorials so written, are not likely to last or endure legible 10 or 20 years after in the largest expectation. The *London* Mealman will not think himself in any way of hopes of gaining, or to be a Master of his Parish, if he do not bespeak or calculate a Famine by an ill Weather, or some mischance like to happen to Corn and Grain for the ensuing year, and will therefore hasten to take advantage of it by raising it 2 *d* or 4 *d* in a Peck, and not keep any proportion betwixt the rise of the Market, and that which he takes of as many as he can perswade to give it; and having once raised his price, holds it as long as he can at the same pitch, though the Markets were long before fallen, and in the course of his Trade tricks, notwithstanding mingleth Chalk, Bean and Rye Flower amongst that which he sels to his deluded Customers for pure Wheaten.

The Lord Maiors of *London*, that have by our King's Indulgence and Charters many Annual Profits and Perquisites, by and out of Provisions for Food brought thither on purpose to take care that it should be wholsom, and the Lord Maiors and Justices of Peace that are by the Statutes of 23 *E. 3. ca. 6.* 13 *R. 2. ca. 8.* and 12 *E. 4. ca. 8.* Impowered and obliged to Assesse the price of Victuals, and the gain of Victuallers; and to Punish such as do not sell at reasonable prices, with respect had to what is sold in places adjoining; should not permit the *Clerks* of the Markets to suffer unwholsome Food
nor

nor Butter made and mixed with Curds, which will taint or stink in two or three days to be sold there; nor a Trade to be set up of buying Barrels of Salt Butter, carrying it home and washing it, and mingling it with other Butter, bring it again the next Market-Day dished up, and sold for sweet Butter at double the price. And it would be well if the Lord Maior of *London* and his Brethren would take more Care than they do to purge that City of Arbitrary Power in the manage of Trade, when there is nothing to be bought either for Food or Raiment, but is adulterated, sophisticated, or cheated in the price or substance, not a liquid thing without undue mixtures, nor of any other nature without deceit in the quantity or quality thereof; so as not so much as Pins, Needles, and Thread can escape it; though there be a City *Argus*, or Man imployed in the keeping of the Knife at *Leaden-Hall*, to Cut all such ill-Tanned Leather as shall be brought thither to be sold; and is to make Shoes and Boots for most part of the adjacent Counties, as well as *London*: Matters are so handled betwixt the dim-sighted Knife, the Tanner and the Currier, that by the Tanner's not allowing a due proportion of Bark, or time of his Leather lying in the Tan-pit, the Leather of the Shoes and Boots is not half Tanned, and keeps out wet or water little better than brown Paper, which must not be a little prejudicial to the health of the *English* Nation; who use not to walk with *Sandals* on their Feet in Countries almost fryed or toasted with the Sun, but in moist and foggy Airs, where Rheums, Coughs, and Colds are and may be very obnoxious to their health.

And when these and other Trades have in no better a manner gained great Estates, and enrich'd and perswaded themselves that their special Pleas; That it was their Trade. Secondly, That they must live. Thirdly, Their Master or Father did so before them. And Fourthly, That if they did not do it, others would do it; will protect and carry them thorough the dangers of the next life, will use so little Charity in this, as they can themselves by a *lawless* Power, in the way either of their Malice or Oppression, cause others to be Arrested and Imprisoned for some Months or Years to the ruin of the suffering party, by Illegally demised Fictitious Writs for many Thousand pounds, when there was not so many Thousand Shillings or Groats, and sometimes nothing at all due unto them. And against all Law and right Reason, make their Friends, if any will be so venturous as to be Bail for them, to be Charged with all other Debts, to which they were not Bail; if the Creditors do in the same Term declare against them.

And at the same time make heavy Complaints against the King, or any of his Servants or Officers of his Court, when they shall be but for some Days or Weeks restrained of their Liberty by the Command or Warrant of the King or his Council, for Contempts or Misdemeanors well deserving to be Punished, and in all their Discourses make Hue and Cry against Arbitrary Power, and a Design of introducing it by the King and his Council; when they might see and understand that there is no such matter.

And could well enough perceive that the very many great and Importunate Necessities and Disbursements, which daily thronged in upon His Majesty since his Happy Restauration, for the defence and preservation of himself and his People, and the repairing and setting up again of a battered and dispoiled Monarchy, were not able to perswade him to lay aside the goodness and gentleness of his Nature, or to call for those Dues which the Law had since those Acts of General Abolition and Pardon afforded him, although in the midst of those pressing Necessities, and very great want of Money, which daily Importuning and Calling upon him did greatly distress and disturb as well his Mind as Affairs; he was after his Happy Restauration unavoidably enforced to pay many great Sums of Money owing by him in Foreign Parts, and the time of his Troubles.

Great

Great Arrears owing by *Oliver Cromwel* to the Seamen and Land Forces to calm and pacifie them.

Lost great Sums of Money in the Assessing and Collecting of the Subsidies, Poll Money, and Assessements.

Hath been at great Charges in procuring his Plundered and lost Household-stuff, Hangings, Plates, and Pictures, and the Redemption of the Crown Jewels; a great part of which were by his Royal Father in his Wars and Calamities, Pawned at *Amsterdam*.

Granted Eight thousand pounds *per Annum* of the Crown Revenue to *George Duke of Albemarle*, and the Heirs males of his Body, who was so happily instrumental in his Restauration.

Four thousand pounds *per Annum* upon the like accompt to the Earl of *Sandwich* in Fee or Fee-tail.

Sixty thousand pounds given to the distressed *Cavalier* Party that fought for him and his Royal Father; besides other great Gifts and Pensions to not a few of his Subjects, either necessitated by Suffering for him and his Royal Father, or craving what they could of him, or to sweeten, allure, and keep in quiet the *Schismatical*, *Rebellious*, and contrary Parties.

Expended much Money in Repairing his if not almost ruined yet much deformed and defaced Houses and Palaces, replenishing of his Parks, Stores, and Magazines; Building of his House at *Greenwich*, with an Expence of House-keeping and bounty more than ordinary at his Return and coming into *England*; with the Charge of Diet for the Dukes of *Tork* and *Gloucester*, and the Princess of *Orange* and their Families, more than formerly chargeable by reason of the want of his Purveyance.

In the Payment of 200000 *l.* to the old Farmers of the Customs Charged upon *Ireland* more than that Kingdoms yearly Revenue, and their Parliamentary Aids given by them amounted unto.

The Abatement of some of his Customs to advance the *Fishing* Trade.

Of his Chimney or Hearth-Money in *London*, and some of the Suburbs thereof for Seven years, in Relief of those that Suffered by the Burning of *London*; made and ordained several helpful Acts of Parliament for the Rebuilding of it.

Gave great Sums of Money out of his Customs towards the Relief of the Captives at *Algier*.

Was at great Charges in keeping and fortifying of *Dunkirk*, until the quitting thereof.

And of the Garrison and making the Mole at *Tangier*, and some of his Customs assigned to defray the Charges of repairing the Peer or Port of *Dover*.

Adventures in the *Guiny* and Royal Company.

Two hundred and Twenty thousand pounds *per Annum*, necessary yearly Charges for the maintenance of his Life-Guards Foot and Horse; besides many other great Charges in the Raising and Disbanding of Forces to defend himself and the Kingdom against Intestine Plots, Seditions, and a threatening Invasion from abroad.

Of Building of many great Ships, and Frigots; and making of Forts in *England*, *Ireland*, and *Scotland*.

In Magazines, Stores, and Provision for Shipping Ammunition, Ordnance, Gunpowder, &c.

Of procuring the Bishop of *Munster* to make a diversive War upon the *Dutch*.

Charges and Expences of the former *Dutch* War, and his Navy of an Hundred great Ships and Men of War in several Years and Summers, every single Ship in its Victualling Pay and Ammunition; being

as Chargeable as two Regiments of Foot in an Army well Victualled and Paid.

Payment of an unreasonable and racking Interest, to borrow and procure Money, and relieve his not easily to be satisfied necessitous and weather-beaten Court and Servants.

Charges in the Collecting the *Chimney-Money*, and the Losses and Defalcations in the Excise-Revenue in the late great Plague, and Dismal Fire at *London*, and Defalcations to the Farmers of the Customs for their Losses by the want of Trade in the time of the *Dutch War*.

An Allowance or Imposition upon every Chaldron of Coals for a certain number of years, towards the Rebuilding of *St. Paul's Cathedral*, and 39 other Churches in *London*.

Two years Revenue of divers Rents of Houses near *London* allowed to the *Queen Mothers* Servants after her Death; all the Delinquents Estates who were greatly Instrumental in the Murder of his Royal Father, given to the Duke of *Tork* for his Support; together with the Profits of the *Admiralty*, *Wine-Licences*, and a great part of the yearly benefit by the *Post-Office*. With many other necessary Regal Expences.

And being since His most Happy Restauration to himself, but most of all to his oppressed Subjects, who were thereby delivered out of a like to be perpetual Bondage and Vassalage of their own framing, from which otherwise they could never have redeemed themselves, and being kind and gracious to as many as he could of his Suffering Party, and willing to perswade those that had been altogether instrumental, and causers of his own and his Loyal Subjects Miseries, to follow their Example, gave their never to be satisfied Rapines, and godless greediness too many of the Employments, Places, Farms and Offices under him; can notwithstanding with *Samuel* justly say, *whose Ox, or whose Ass have I unjustly taken away; whom have I defrauded, or whom have I oppressed?* 1 Sam. 12. 3.

Which if Right be done unto him, should not be gainsaid by his borrowing of the *Banker's* Money, when they had sent it into his *Exchequer* at an high and unreasonable Interest, and making use of it to furnish out his Navy, in or against the approaching Spring, when the Ingrateful *Dutch*, having heaped their Abuses and Injuries upon him and the Nation, were as Confident as the *Philistins* were in the Case of the Children of *Israel*, when there was not a Spear or Sword in *Israel*; That he could have no means or Money by the forwardness and discords of some *Opiniatrees* and *State-Reformers*, to furnish out his Fleet to prevent their designs of persisting in their disgracing and domineering over him; the Trade of the Nation abroad, and affronting and mastering of him at home.

And in the doing thereof he was *Necessitate Necessitatum*, driven by an unavoidable and extreme Necessity, more than that which perswaded *David* to take the *Shew bread* from off the *Altar* to preserve the Publick in himself, and himself in the Publick; from a fatal and otherwise utter ruine, and loss of the Sovereignty of our *Brittish* Seas, and the Guard and Benefits thereof justly Claimed and Vindicated by his Royal Progenitors and Predecessors, and at no time before in so much danger of loosing.

For his after-Actions and Cares of Repayment may Evidence that he intended neither any wrong or Injustice to the *Bankers*, or the Owners of it; in that he not only made a Provision to pay them the Interest until he could be able to pay them the Principal; but did all he could, if his daily and publick Occasions had not prevented him to pay the Principal, which he long ere this had accomplished, had not the War by the Haughtiness, Malice and Insolence of the *Dutch*, often and very much decryed by the *Sweeds* and

other Nations who were the Mediators for Peace at *Cologne*, emboldened by our home Divisions, and want of Supplies, lengthened it self beyond all Expectation. And hath notwithstanding in the Interim by his Protections Royal; and many other Cares taken, done as much as he could to keep the *Bankers* from Arrests, Imprisonments, and other Ruines impendant often happening and falling upon Men indebted.

Although if Reports and the Laments of some that were concerned be not much mistaken, a great part of that Money was belonging to many of his own Servants; who by his Bounty and Places of Profit under him, had easily gained it; and many of those who so heavily complained of that detention of their Moneys had for their own advantages, intrusted it to the *Bankers*, who by an Imaginary Credit far exceeding their own Estates, furnishing one man with another man's Money, and paying out that which was but the same day or a little before come in, had inticed a great part of the Money of the Nation into their hands. And some, if not many of the Owners, did well enough understand that they did not only furnish them and their Credits, upon all Emergent occasions of Profit or Accommodation, by that kind of alluring much of the Money of the Nation into their Custody; but his Majesty also at an high and intollerable Usury, which if a strict enquiry were made by His Majesty, or Order of Parliament of the particular Owners of the Money brought into the *Exchequer* by the *Bankers*, and from thence borrowed and made use of by his Majesty upon his Publick and most urgent Affairs, would plainly appear.

And it will be as manifest, that he afterwards gave no respite to his Royal Cares and Intentions of Repaying it with the Legal or as much Interest as the *Bankers* were to pay for it. And finding that the *Fee Farm* Rents amounting unto *Seventy thousand pounds* per annum, sold at *Sixteen* years Purchase, which nothing but a grand Necessity could enforce him to Alien; for that many of them being the *Tenths*, were by two several Acts of Parliament annexed to the Imperial Crown of *England*, for the maintenance thereof, and were as so many Ties and Obligations, which made the Owners of these Lands to be dependant upon the Crown, would not reach to a Satisfaction of his other Debts and Expences; which having been longer due, were more importunate than those of the *Bankers*, did lately in a Speech to the Lords and Commons in Parliament, make it his earnest Request that they would take the Necessity and speedy Payment of the *Bankers* into their Considerations.

And when nothing of help could be obtain'd for that purpose, did by his Letters Patents under his great Seal, with great difficulty and hardship, order a part of his burdened Revenue to be assigned for the due and orderly payment of the Interest until the Principal Moneys should be justly satisfied and paid. So as his doings therein, or making use of that Money, if impartially and judiciously weighed in the Ballance of Truth and Judgment is not to be called a seizure, or forcible taking of the *Bankers* Money, or to be ranked either as to the necessity, or the thing it self, or the number of the persons concerned with what King *Edward* the First, a Wise and Prudent Prince did do, when he in the 22 year of his Reign seized into his hands upon occasion of supplying the Publick Necessities, all the *Wools* in the Kingdom as the Merchants were lading them in the Ports, giving them Security for Payment at his own Rates, and a long day, and a short price, and transported them to his own best and readiest Sale; and at another time upon a like necessity, seized all the Pope's Moneys, which had been Collected for him by the Clergy of *England*, amounting to very great Sums of Money towards the Wars of the Holy Land; gave Protections to those that had the Custody of it, and retain'd and made use of it for his then pressing Publick

Rot. Vascon.
22 E. 1.
Rot. Alman.
12 E. 3.
Acta Concill.
20th H. 6th.

Publick Affairs two years and more, notwithstanding that the Pope had in the mean time sent unto him then hugely formidable threatening Bulls, and Letters for it. Or the like done by King *Edward* the Third in the 12th year of his Reign with all the *Tynne*, or with what King *Henry* the 6th did by way of Purveyance of great Store of Grain and Corn, and transporting it into *Gascony*, where it was very dear, or by Queen *Elizabeth* of a great deal of Beer Transported and sold to her use beyond the Seas, and by defraying a great part of the Charges of her Wars in *Ireland*, with Moneys Coined of *Tynne*, with a promise to make a Satisfaction for it, with Moneys made of Silver, which was justly performed by her and King *James* her Learned Successor.

Warrant Sub.
Privat. Sigil.
9 Eliz.

Concerning all which matters, fears, and jealousies, I can be confident your Sentiments and mine will so little disagree, as your Judgment of the Ages past, and observations of the rise and progress of our late Troubles and Miseries which brought the greatest Shame and Scandal to the Protestant Religion, profest in *England* and *Scotland*, that ever it had or could have laid upon it; and cast an unhappy Reflection upon those that were in the parts beyond the Seas, will not refuse me your Company in the Opinion of a Truth so experimented, that the fruit of all those Artifices, rather than any just cause of any such fears or apprehensions have yielded no better Effects than the Ruine and Confusion of the former Glory and Honour of our Nation, by setting up a Rebellious part of the People, the Offspring, as to some of their Levelling Principles, of *Wat Tiler*, and *Jack Cade* to undo and Rule over the better sort of the People, and the Poor to Plunder and rob the Rich.

And that therefore they which have been the cause of so many Mischiefs and Evils which their and our *Seri Nepotes* will have reason enough bitterly to bewail, and without God's great Mercy will scarcely live to see eradicated, ought better to consult their Conscience; the Precepts and Examples of Wisdom, *Salus Populi*, Interest of the Kingdom, and Honour of the King and Nation, and abandoning their former Follies, and false Lights which led them and their partakers into so great Sins, and made them to be the Causes of so many National Miseries, not run themselves and others into the fear of one or two incertain Evils; but an Hundred which will be most certain, and can never be recalled.

And I cannot but assure my self, that you will be ready to conclude with me, that there is no Rational or just Cause of Fear that we can have by any Infection contracted from the now Laws and manner of Government of *France*, under His most Christian Majesty. (For until their Civil and Intestine Wars and Ill Usage of *Charles* the Fifth, and *Charles* the Seventh their Kings, in their greatest Distresses, that Nation had Liberties more than at present they have; or are likely to enjoy.) And that our League with the *French* may as little Prejudice us and our Laws and Liberties as it did those of the *Dutch*, when they were in the strictest Alliance or Confederacy with them.

For no man can be so transported out of himself, as to believe that a Neighborhood or a League for Civil and other Respects, can work any Prejudice to the Religion, Laws, and Liberties of the Subjects of either Prince or State; not granted away or Contracted for by such Leagues, when every days Experience declares the contrary; for otherwise the *Poles*, whose King is Elective, and their Laws so very much obliging him, as he cannot alter the Freedom and Constitutions of the Peoples Liberties would be in danger of the *Mahometan* Extravagancies of Power to be brought in upon them, when their Kings have made any Leagues with the *Turks* or Grand Seignior, and
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the *Sweedish* Nation in fear of their Elective King's introducing the vast and unruly Power of the *Muscovite*, whose Subjects being under a mighty awe, Ignorance and enforced Obedience; have no more to answer when any State-Affairs are enquired of them, than that *God and the Great Duke do only know it.*

Infomuch as the Provocation of the *Dutch* being so great, and the Vindication of the Honour of the King, Trade of the Nation, Safety of the People, and Sovereignty of the Sea so necessary, as a War with them could not be avoided.

There was no other either visible or possible means to manage it with Prudence or Success, than by the making of the League with *France*, who had pretences of his own to joyn with ours. In regard that Land-Armies and Forces were not able alone to bring them to good Terms, without the assistance and aid of a great and mighty Navy at Sea, which might be able to overcome and beat them in that which was their greatest Strength, without which it would have been impossible for the *English* or *French* jointly or seperately ever to have forced them to reason.

The King of *Spain*, who would heretofore have been glad of such a Part'ner, as the *English* to help to subdue those his formerly truly accompted Rebels of the *United Provinces*, who by the help of the *English* and *French*, had in a War of almost Sixty years together done him so very much wrong, and many Mischiefs, was then become so jealous of the growing greatness of *France*, as he found it to be his Interest to assist those that had so greatly damnified him, and were no other than his *Hogen Mogen* Rebels. The *Swede* and *Danes* greatly concerned in their Trade, and the Profit and Gain which they daily received by them in the *Baltick* Sea, would not joyn in any War against them, and if they would have been willing, were at too great a distance, and the forcing of passage would have been as difficult and dangerous as it would have been Chargeable, and the like might have been said of the *Elektor* of *Brandenburgh*, who was in League, Amity, and Interest with them, and the most part of the other *German* Princes, being of small Power, far off, and inconsiderable, who might not make War with any Members of the Empire (as the *Dutch* being part of the lower Circle of *Burgundy* were) without the Approbation of the *Emperor* and their Diets, and the Charge and little Success of hiring the *Bishop* of *Munster* to raise Forces whereby to make a Diversion and Incumbrance upon them in our former Wars, with them, had taught us what little good, and at how great an Expence that design effected. And it is well known that an Army for the intended Recovery of the *Palatinate*, was in the 21th year of the Reign of King *James* by an able and select Council of War, and the Approbation of the Parliament, then thought not to be sufficient with the Aid of the *Dutch* in their Provisions, and passage under the Number of 25000 Foot, and 5000 Horse; and the Charge of 30000 *l.* to furnish them with Necessaries. And when afterwards Count *Mansfeild* a second *Hannibal*, and one of the greatest Captains of his time in Christendom, had with 12000 Foot, and 200 Horse Levied here, and encouraged by K. *James* and the Parliament; some promised Aids from *France*, and some other States and Princes undertook to regain that wasted Countrey of the *Palatinate*, Ship'd his Men, and was at Sea with them, the King of *France's* denying their Landing at *Calice*, and promised Passage; and the Province or States of *Zealand*, when he attempted to Land his Men upon their Coasts, making a like refusal, the Pestilence and Flux whilst they were at Sea penn'd up, and almost stifled in the Ships, killed two parts in three of them, and the remaining third part mouldring away, that Action and all the Design, hopes, charges, and Endeavours of it miscarried and came to nothing.

And

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And certainly the *English* War with the *Dutch* Petitioned for by the Parliament, put and carried on with so much reason of State, and by so many very Important Necessities, might Claim to be as well allowed to be without any detriment to the Interest of the Protestant Religion, as other Wars betwixt Protestants heretofore; have been upon Civil Accompts and Controversies. The *Dutch* upon a pretence of their better defending themselves against any Attempts or Increase of Power of the *Spaniard*, their then Enemy, did take and keep *Wesell*, and some Towns in the Dutchies of *Cleve* and *Juliers*, and other Frontier Towns belonging to the *Elect*or of *Brandenburgh*, a Protestant Prince, the Justice whereof hath not yet been understood by the Learned in Politicks and Affairs of State, were not Incumbred with any Accusation of weakening the Protestant Religion, and it must needs remain a Problem never to be determined, but put upon the File of Eternity, what can be the Reason that *Oliver Cromwell* and his Party of Regicide Rebels about the year 1654. upon far less Provocations, should so chearfully be aided and assisted in his Maritime Wars with the *Hollanders*, until he beat them into a Peace and acknowledgment of the *English* Sovereignty over the *Brittish* Seas, enforced upon them the Act of Navigation, That no Commodities Transported into *England* from thence, or of the growth of those Countries, or any other Neighbour Countries should be brought by them but in *English* Bottoms, and made them stink in the Nostrils of all Nations, and to be guilty of a most horrid Ingratitude in the renouncing the *Prince of Orange* and his Illustrious Family, and taking from them those Offices and Places which they and their Ancestors had in their Defence so dearly purchased; and yet his *Cromwellian* Power was not at all accused for hurting the Protestant Religion; or how our Wars with the *Dutch* in the years 1664. and 1665. upon far less Provocation should be Petitioned for by our Merchants, and both Houses of Parliament, and willingly contributed unto, and not at all believed to be against the Protestant Religion, and why the War now made upon greater Affronts and Injuries should be an undermining of the Protestant Cause, or tend to a Subversion of that Religion more than it did, than when *Oliver* could League with *France*, and its Politick Cardinal *Mazarine*, and set the *Dane* to Invade the *Sweed*, and after that to put the *Sweed* upon the *Dane*, on purpose to disenable him from assisting His now Majesty, his near Allie and Kinsman without any prejudice supposed to the Protestant Religion of either side, and be commended for it.

Charles the Fifth *Emperor* Imprisoning the Pope, and putting him to a Ransom, made him not suspected to be a *Calvinist* or *Lutheran*.

Lewis the 13th King of *France*, a Catholick Prince, could heretofore make a League with the Great *Gustavus Adolphus* King of *Sweeden* a Protestant, back him with Leagues and yearly great Sums of Money to Deplume the *Roman* Eagle, and make those glorious feats of Arms which he did accomplish to be the Ruine and Disturbance of many a *Popish* Prince, and to be so formidable as to shake the Foundations of the House of *Austria*, and the Pope and all the Partakers of them.

The now King of *France* could for a wrong done by others to his Embassadors in the Court of *Rome*, make the Pope himself submit to the setting up of a *Pillar of Infamy* at *Rome*, to be a witness to the World of the Indignation of the one, and Chastisement of the other; and hath lately vigorously assisted the now King of *Sweden* against the *Danes* and *Elect*or of *Brandenburgh*, being all Protestants: and did not think that he forfeited thereby the Title of the most *Christian* King, and a great Maintainer of the *Popish* Religion, of which and much more which might be said, there may be as many approved Examples to be met withal in History, as there may be well digested Reasons in order

der to Publick Peace and Tranquility alleadged for it; so that they that would *Criticise*, and be over Censorious, should if they would be just, whilst they Condemn His Majestie's League with *France*, to be as a strengthening and weighing down of the Balance on the Popish part, consider that the last King of *France* did by his League with *Gustavus* King of *Sweden*, so advance the Protestant side of the Balance, as it endangered all the other side, that the Villanies at home against His late Majesty, and the setting up of *Oliver* and his League with *France*, depressing the *Spaniard*, and making *France* so over-Potent, hath ever since turned the Balance, and disordered it. And that Balances may notwithstanding at other times be rectified and made equibrious without any damage to the Protestant Religion, or the various Profession of it.

Which League of His Majesty with *France*, and that Active Princes Power and concurrent Interest to enervate the dangerous neighbouring greatness of the *Dutch* overgrown Republick, did so little weaken the Balance on the Protestant part, as the Event hath clearly demonstrated it to have been the only means of re-establishing the Prince of *Orange* his Nephew (no remote Heir to the Crowns of *England*, *Scotland*, and *Ireland*) and the Heirs Males of His Body in the Authority and Dignity of *Stadtholder* of the United *Belgick* Provinces, *Generalissimo* of all their Forces and Armies by Land, and *Admiral* of their formidable and to a wonder very numerous Fleets, of which by the contrivance of *Cromwell*, the Profess'd Enemy of His Majestie's Royal Line and Family, and his encouragement of the Faction of the *De Wits*, he had most ingratfully been deprived (concerning which there appears not in the Petition of the Parliament for a War with the *Dutch*, to have been any prospect or design) and rendred him thereby together with the access of his Personal Virtues, Valour and Wisdom (being not yet of the Age of Thirty years) not only the great Imitator of his glorious Ancestors on the Fathers and Mothers side, but the probability (if the over-hazarding of his Person doth not shorten the hopeful race and course of his life) of being the greatest Captain of the Christian World, an Honour of the Protestant Religion, and the strengthening of it.

And it can therefore be no unwholsome advice not to set our own House on Fire by needless Fears and Jealousies as we have done, or make our selves less wise than the Seditious Rabble of *Rome*, who by the Wisdom of *Menenius Agrippa*, were Charmed into a Pacification and quiet of Spirits by the Fable or Apologue of the mutiny of the Members of the Body against the Belly or Paunch, which could not be altogether so perillous as ours would be against the Head; for until the Laws of God, Nature, and Nations shall be repealed, and the wiser part of the People who have lived in the habitable World can by any of that Party or *Children of Contention*, now living be convinced, and brought by any Rules of right Reason or Wisdom to acknowledge, that Particulars in a Body Politick are more to be heeded and taken Care of than Universals, the lesser part more than the greater, a few more than a multitude, or that in the Body Natural the Heart, Liver, Lungs, Arms, Back, Belly, Legs, Bones, Sinews, Muscles, and Ligaments, with Hundreds of little Parts and Particles appertaining to that excellent Frame and Structure of Man's Body can subsist, and do well when the Head which gives motion and comfort unto all, and the least of them is Sick and ruining for want of its necessary Support and Supply from them in their several Offices.

We need not be at much pains in the search of Reason, that they who do purchase the Occasions or Advantages of Contention, which may in the end, howsoever contenting and profitable it may seem to be in the beginning or pursuit of it, prove to be their own as well as others Irreparable Ruine, and

and do all that they can to disturb and mud the Waters that refresh and make glad the Valleys of our *Syon*, should justly be accounted to be no wiser in the Event, than he who having all his Goods in a Friend's House, set on fire by some that designed it, and their own Benefit; (as our Neighbour *Dutch* were said to have done in the Wars of *Bohemia*) or by some evil Accident, would so much forget his Charity and Duty to his Neighbour, and care of himself, as to refuse to aid or help him, either by Water, Ladder, Buckets or Engines, until he should first have called him and his Servants to Account and Examination how and where the Fire began, by whose negligence or miscarriage; what method, care and order will be taken to prevent it for the future; and what Security he will or can give, that there shall be no more such an accident hereafter.

And whilst he is thus over-running his Discretion, and acting his own Folly, and new found Politicks, suffer the Fire to do what it list, Burn the House and all his own Goods, as well as those of his Friends and Neighbours in it.

When History and the Records, and never enough bewailed Experience of times past might have told him, and all that have a mind to Imitate such a self-ruining madness, the dire Events, and many heavy and remediless Calamities which fell upon the over-sparing and cautious *Constantinopolitans*; who denying their Emperor a necessary and fitting Aid to defend them as well as himself, made the *Turks* Master of all *Greece*, so renowned heretofore for Learning, and that City and the Riches of it, a twentieth, or a very small part whereof might have disappointed all the Tyranny, Bondage, and Slavery which they have ever since been under, and are according to Humane Judgment like to continue to the end of the World, in no better a Condition.

And now that *Hannibal* is *ad Portas*, Dangers on all sides encompassing and crowding in upon us, we should neither forsake our selves and good old *England*, which will surely be worth the saving; nor so much mistake that which was ever accounted to be Reason, Wisdom and Forecast, as to undervalue the prospect and the cares of Prevention, laugh at them as *Pedantick Fopperies*, or the dotage of a Decrepit World; and like *Jonas* displeasing his God, fall asleep in the midst of a Tempest.

But rather make hast to return to our selves, and set before us the Wisdom and Examples of our Ancestors and Predecessors, who in the care of themselves and of the Private and Publick, not separate but joyned together, as well as of their Kings and Sovereigns, would not be deterred by any State-misfortunes or Irregularities, or tempted by their Jealousies or Fears to suffer themselves, as the Members and smaller parts of the Body, to languish and be destroyed by neglecting the Head, and the Security and Safety thereof, or by not paying their Duty and Reverence to their Kings, hate and ruine themselves, which in all their Discontents and Murmurings against their Kings and Government, the Anxieties, or Commotions of their Minds and Passions, or the Dispairs which had sometimes seized upon them, they did so much seek to avoid, as they did not refuse them Aids in all their Wars and Troubles Domestic and Foreign.

King *Henry* the Second (who after a very great and general Act of resumption of the Aliened Crown Revenue, some whereof had been granted by himself, had discontented many of his great Nobility) when all his Sons had Rebelled, Warred, and taken Arms against him, wanted not a supply by Escuage from his Subjects of *England*, to reduce them to Obedience, and make his Wars in *France*.

King *Richard* the First being unfortunately in his Return *Incognito* from his warlike and glorious Expedition to *Jerusalem*, made Prisoner by an unworthy

Guilielmus
Newbrigenfis.

worthy Surprize of the Duke of *Austria*, and the *German* Emperor, enforced as some of our Historians have reported, for his Deliverance to invest the former of them, with the Superiority of his Kingdom of *England*, by the delivering of his Hat unto him; which the *Emperor* in the presence of divers of the Nobility of *Germany* and *England*, returned unto him to hold the Kingdom of him by the Annual Tribute of Fifty thousand pound Sterling; and his Brother *John* Usurping the Crown in his absence, and Plotting with the *Emperor* and the King of *France*, his mortal Enemy to continue him a Prisoner during his Life; both Laiety and Clergy notwithstanding that he had by the perswasion of the Clergy more than of the Laiety, been ingaged in that very Expensive War, did so strain themselves to redeem the Person of their King (the Kingdom and People at that time being secure enough from Foreign Invasions) as they raised and paid *One hundred and fifty thousand Marks* in pure Silver of *Cologne* weight (then a very great Sum of Money) by Twenty Shillings imposed upon every Knights Fee, the fourth part of the Revenue of the Laiety, and the like of the Clergy, a tenth of their Goods, all or most the Chalice and Treasure of the Church (being then also not a little) sold to make up the Sum: So as *William Petit*, or *Newbrigenfis*, who wrote his Book in that time, saith, *Ferè exmunita pecuniis Anglia videretur*; *England* seemed to be almost emptied of all her Money; and the like courses were held for raising that then great Sum of Money in all his Dominions beyond the Seas.

King *John* likewise having resum'd much of his Crown-Lands, Murdered (as was suspected) his Nephew *Arthur* the right Heir to the Crown, and thereby forfeited the Duchy of *Normandy* to the King of *France*, of whom he held it; and in those many Troubles and Distresses which were cast upon him by his unruly Baronage, constrained to acknowledge to hold his Kingdoms of *England*, and Dominion of *Ireland*, of the Pope and his Successors in Fee-Farm under the yearly Rent of *One thousand Marks* per Annum; Charged his Earls and Barons with the Losses which he had sustained in *France*, Fined and made them pay a seventh part of all their Goods, had Two marks and a half granted unto him by the Parliament out of every Knight's Fee; and within a year after a thirteenth part of all the Moveables and other Goods, as well of the Clergy, as of the Laiety.

King *Henry* the Third his Son, resum'd all the Lands alien'd from the Crown, had so great Troubles entail'd upon him by the Contests of his boisterous Baronage with his Father, as *Lewis* the *French* King's Son was called in by some of them, received their Homage, and had *London*, and a great part of the Kingdom delivered up and put into his Possession; but upon better Consideration was afterwards sent home again by those that Invited him, and the Barons of *England*, having so little accorded with their Native King, as several Battels were fought betwixt them, in one of which the King himself was taken Prisoner, and in another released by the Valour of the Prince his Son, the managers of that Rebellion Slain, and their multitude of Partizans reduced to Obedience, being a great part of the Kingdom, by their Compounding with his Commissioners at *Kenelworth*, to give him Seven years Purchase of the yearly value of their Lands, which amounted to a very great Sum of Money, for a Pardon for their Offences, and a Redemption of their Estates; the Subjects and People of this Nation did howsoever in order to their own Preservation, besides the fifteenth part of all their Goods, for his Grants of *Magna Charta*, and *Charta Forestæ*, not deny him their Aids of Scutage, Fifteenths, and Tenths; there being scarce a year wherein there was not a Parliament, and seldom any Parliament without a Tax.

King *Edward* the First, notwithstanding his Writs of *Quo Warranto* brought against all the Nobility, Great Men, Gentry, and others of *England*; Cities and

and Burroughs Claiming Liberties and Priviledges, wherein he did put them strictly to prove them either by Grant or Prescription, seized and confiscated the Estates of the Earls of *Gloucester*, *Hereford*, and *Norfolk*, Men of great Might and Power; for their refusing to go and serve him in his Wars beyond the Seas; the Earl of *Hereford* being Constable, and the Earl of *Norfolk* Earl Marshal of *England* by Inheritance.

And their mutual Rancors and Displeasures with the grand Contests of them and their Parties to procure the Statutes of *Articuli super Chartas & de Tallagio non Concedendo*, were not healed without the Aids and Subsidies of his People.

The mis-government and mis-leading of King *Edward* the Second by his several Favorites *Peirce Gaveston* and the *Spencers*, did not hinder him from the Supplies of his People.

King *Edward* the Third, after a fifteenth of the Temporality, a twentieth part of the Goods of the Cities and Burroughs, and a tenth of the Clergy granted unto him by Parliament in the Eighth year of his Reign, having consumed much Treasure in his Wars, made for the Kingdom of *France*, which he claimed as his Inheritance (wherein the *English* Nation, more than for the Grandeur and Honour of their Prince, were not much concerned; but were jealous until an Act or Declaration of the King in Parliament was procured to the contrary, that the Conquest of *France* might have caused *England* to have been afterwards dependant upon that greater Crown and Kingdom) was notwithstanding the seizure, and taking into his hands the Goods and Estates of three Orders of Monks, viz. The *Lombards*, *Cluniacks*, and *Cisterians*, and all the Treasure committed to the Custody of the Churches through *England* for the Holy War, forced to revoke divers Assignations made for Payment of Monies, though he had received *Three Millions of Crowns of Gold* for the Ransom of *John* King of *France*, whom his Son the *Black Prince* had taken Prisoner, and was not put to lose any of his Honour, Friends, Estate or Interest for want of the necessary Assistance of his Subjects, who for the maintenance of those and other his Wars, were howsoever well content to give him half of the *Laieties* Wool, and a whole of the Clergies, and at another time the ninth Sheaf, the ninth Fleece, and ninth Lamb for two years; and after many other Taxes and Aids granted in several Parliaments of his Reign, and a Commission sent into every Shire to enquire of the value of every man's Estate; The Treasure of the Nation being much exhausted, found the People so willing to undergo that and other Burdens which those successful Wars had brought upon them, as the Ladies and Gentlewomen did willingly Sacrifice their Jewels to the Payment of his Souldiers.

That Unfortunate Prince *Richard* the Second his Grandchild, tossed and perplexed with the Greatness, Ambition and Factions of his Uncles, and the subtil underminings of *John* of *Gaunt*, Duke of *Lancaster*, the most powerful of them, fatally continued and pursued by *Henry* of *Bullingbrook* his Son Duke of *Hereford*, was not in all those his Distresses so unhappy, but that although the Commons in Parliament had by their Petitions unto him complained, That for want of good Redress about his Person, and in his Household and Courts, the Commons were daily pilled, and nothing defended against the Enemy, and that it would shortly undo him and the whole Estate; yet they were so mindful of their Sovereign and themselves, as they not only afforded him very great Aids and Assistances; but in the Fourteenth year of his Reign the Lords and Commons in Parliament did Pray, That The Prerogative of the King and his Crown might be kept, and all things done or attempted to the contrary might be redressed; and that he might be as free as any of his Royal Progenitors were: And in the Fifteenth year of his Reign, did in Parliament require him, That

Rot. Parl. 5.
R. 2. m. 60.

Rot. Parl. 14.
R. 2. m. 15.

Rot. Parl. 15.
R. 2. m. 12.

He would as largely enjoy his *Prerogative*, as any of his *Progenitors*, notwithstanding any Statute; and namely the Statute of *Gloucester*, in the time of King *Edward* the Third; the which Statute they utterly repealed out of their tender affection to the King.

King *Henry* the Fourth, Fifth, and Sixth; although well understood to have been Kings *de facto*, not *de jure*, (for so not seldom have been the Pleadings at the Law of their Acts of Parliament) and although the later of those Kings being Crowned King of *France* in his Infancy, and in Possession of that Kingdom, was by his Meek and Pious rather than Prudent Government a great part of the Cause of the Bloody Contests betwixt the Two Houses of *Tork* and *Lancaster*, which ruined very many of the Nobility and Gentry by taking their several Parties, and were by their Discords the loss of all the Kingdom of *France*, but *Calice*. And that *Richard* Duke of *Tork*, had in Parliament so claimed and wrestled for the Crown, as he was declared Protector of the Kingdom of *England*, enjoyed notwithstanding the care and good will of their Subjects upon all occasions either at home or abroad in times of Peace or War, by their Contributions of Subsidies.

King *Edward* the Fourth in the brunt and hottest of the long continued bloody Contentions of the two great Houses and Families of *Tork* and *Lancaster*, after nine Battels won by himself, attested by his Surcoat of Arms which he wore therein, hung up as a Trophy in the Cathedral Church of *St. George* at *Windsor*; and his many struglings with King *Henry* the Sixth, and his Party, in losing and gaining the Crown, again War with *France*, and compelling the crafty *Lewis* the 11th the King thereof, to demand a Peace, and consent to pay him 75000 Crowns towards his War, Expences, and a Tribute of 50000 Crowns yearly during the life of King *Edward*, notwithstanding that he had in the second year of his Reign, fate in a *Michaelmas* Term three days together in his Court of Kings-Bench, and gathered great Sums of Money of the People of *England*, by his Privy Seal towards his Wars with the *Scots*, and in the Seventh year of his Reign, resumed by Act of Parliament all the Grants which he had made since he took Possession of the Realm, raised great Sums of Money by Benevolences and Penal Laws, had in the Eighth year of his Reign granted him by Act of Parliament two fifteens and a Demy, and in the Thirteenth year of his Reign, a Subsidy towards his Wars with *France*, when the Actions, Courage, and Wisdom of Parliaments were so incertain, as there was in the space of half a year one Parliament Proclaiming King *Edward* an Usurper, and King *Henry* a Lawful King; and another Proclaiming King *Edward* a Lawful King, and King *Henry* an Usurper.

King *Henry* the Seventh, although that he sometimes declared, That he held the Crown as won in Battel by Conquest of King *Richard* the Third, and at other times by his better Title from the House of *Tork*, and his Marriage with the Lady *Elizabeth*, the Daughter of King *Edward* the Fourth, and avaritiously took all the ways possible for the enriching of his Treasury had divers great Aids and Subsidies granted unto him by Parliament.

King *Henry* the Eighth, notwithstanding that he had after many great Subsidies and Aids, both as to the Money and manner of Collecting it; granted unto him his Heirs and Successors by several Parliaments; and the first Fruits and Tenths of all Ecclesiastical Promotions and Benefices, overturned the then established Religion of the Kingdom, seized and took into his Possession the great yearly Revenue of 600 Abbies, Priories, and Nunneries, most of the Hospitals and Colleges which had been given to Religious Uses with Anathemas; with as many other dreadful Curses and Imprecations as the Minds of Men could imagine to fall upon the Violaters thereof, amounting

amounting in the then yearly value, unto something more than *One hundred and Ninety thousand Pounds sterling*, per Annum; being at a then low and undervalued rate, scarce the 20th Penny of the now since improved yearly value, excluded the Founders from their Reversions and Legal Rights thereof; when the uses unto which they were first ordained should be altered, or otherwise applied, Confiscated the very many rich Shrines, Chalices, Plates, Copes, Jewels, Pearls, Precious Stones, Gold and Silver, not only found in those Religious Houses; but in all the Cathedrals and Churches in *England*; the Riches of all which could amount to no less than many Millions of Money Sterling more, if not equal unto the vast and admired Reserves and Treasures of the *Venetian Republick*, or that of many Popes Provisions, reported to have been laid up in the Castle of *St. John de Angelo* at *Rome*, in case of any Invasion or War of the *Turks*; and unhappily wasted, expended, and gave away not only a great part of those immense Riches and Land Revenue, but all the *Eighteen hundred thousand Pounds sterling*, which were left him in his Father's Treasury; debased some of his Gold Coin, and made it Currant for a greater value than in truth it would yield. And the better to gentle and pacifie the People, who stood amazed at it, promised and undertook that they should never more be troubled with Aids or Subsidies.

Was notwithstanding when afterwards the Publick Occasions required Aids or Supplies, neither foreclosed by his Promise, or denied the assistance of his People.

But the Lords and Commons in Parliament did in the 35th year of his Reign assent to an Act of Parliament for the remitting unto him all such Sums of Money as he had borrowed of them or any other, by way of Impress or Loan by his Privy Seals, sithence the First day of *January* in the 33th year of his Reign, and if he had paid to any Person any some of Money which he had borrowed by Sale of Land or otherwise, the same Person, his Heirs, Executors, or Administrators, should repay it again to the King; and if any Person had sold his Privy Seal to another, the Seller should repay the Money to the Buyer thereof. And for a further Supply, did in the last year of his Reign grant unto him one Subsidy with two Fifteenths and Tenths by the Temporality, and one Subsidy by the Clergy.

Whose Successors and Posterity have ever since not refused to Subscribe to those Laws of God, Nature, and Nations; That Children are obliged to assist both their Political and Natural Parents: The contrary whereof would be against the Rules of Humanity and Mankind.

Judge *Hutton*, a greater Friend unto the Law then *Ragioni di Stato*, Reason of State or Government, declaring in his Argument in the Exchequer Chamber against the Ship-Money, in the latter end of the Reign of King *Charles the Martyr*, That an Act of Parliament that a King should have no aid or help of his Subjects, would be void and of none effect.

King *Edward* the Sixth, after the many Seditions and Troubles which assaulted his Infant Government, and excellent endowments of Virtue and Piety, by the Wars with *Scotland*, quarrellings of the Protector and Admiral, his Uncles on the Mother's side; and the Plots of *Dudley Duke of Northumberland* was, although he had taken into his hands all the Lands, Houses and Tenements formerly given under dire Imprecations, and Curses for the quiet and welfare, as the People then thought of the Souls of their Ancestors Children, Friends, and Benefactors departed out of this World and gone into the next; together with the Colleges, (given to Superstitious Uses) free Chappels, Fraternities, and Guilds, with all their Lands, Goods, and Estates; seizure of Church Goods in Cathedrals and Parish Churches; and such as had been imbezil'd, with Jewels, Gold and Silver Chalices,

Chalices, ready Money, Copes and other Vestments, reserving to every Church one Chalice, and one Covering for the Communion Table was not grudged in the last year of his short Reign, one Subsidy with two Fifteens, and Tenths granted by the Temporality, and a Subsidy by the Clergy.

Queen *Mary* being a profess'd Catholick, renversed the Protestant Religion, put many to Death, Banished and Persecuted all the Eminent Professors thereof, Married *Philip* the Second King of *Spain*; and thereby endangering if she had any Issue by him, to have brought *England* under the Laws and Yoke of his *Spanish* Dominions, with the Bloody and Cruel *Inquisition* to boot; began to restore the Lands of the Abbies and Monasteries, and intended to relinquish all her right therein; Lost *Calice*, which had been in the *English* Possession ever since the Conquering of it from the *French* by King *Edward* the Third.

Made severe Laws against the Protestants, Abrogated all those that were made against the Catholicks, shook and tottered the Estates of many of the Protestants great Nobility in their Lands, which had belonged to their Monasteries and Religious Houses, and of many Thousands of considerable Families of the Kingdom, who had those kind of Lands either given them by King *Henry* the Eighth, or King *Edward* the Sixth; or had Purchased them of others, who might well have foreseen their not Enjoyment of them, if she had but a little longer continued her Reign, to perfect the entire returning to the Church of *Rome* of her self, and as many of the People as she should be able to force into it, was not in her short Reign without the Aids and Assistance of the People, when the Publick Affairs called for them.

Richard the Third, though for his Cruelties and ill obtaining of the Crown, he merited not the Title of a King after his stabbing King *Henry* the Sixth, whereof he died in the Life-time of King *Edward* the 4th, and after his Death procuring himself to be made *Protector* of the Kingdom during the Minority of King *Edward* the Fifth, his Nephew; whose Guards when he had made to be dismissed, and enticed him and his Brother into the Tower of *London* upon a counterfeit pretence of Safety and Honour, he procur'd to be Murthered. Did the like to his own Elder Brother the Duke of *Clarence*, whom he contrived to be drowned in a But of *Malmsey*; made himself King, and in the setting of his wrongful Title and wicked Usurpation, made some good Laws; was notwithstanding in the Second year of his Reign, besides the great Confiscations of divers of the Nobility, and other great Men, not refused an Aid or Imposition.

Queen *Elizabeth*, Inheriting the Courage of her Father King *Henry* the Eighth, and the Wisdom and Prudence of her Grandfather King *Henry* the Seventh, the happy Uniter of the *White and Red Roses*; having by a Provident Care made such a Choice of Wife and Valiant Sea and Land Commanders, Sage Counsellors and Ministers of State, and Judges of the Law, as no Prince of her Age or Time could equal, did by a constant encouraging and employing no other than those who made it not their only Business to seek their own Profits, but were as fixt to her, as she was to them; by whom and her own careful Conduct and Guidance, she withstood all the Assaults of *Rome* and *Spain*, and the Machinations which their *Jesuits* could Plot or Promote against her and her most excellent steddly Monarchical Government; weather'd out the Storms and Rebellions raised up against her, with no single or few Attempts to take away her Life; supported her Allies, and was a *Bulwark* impregnable not only to the more refined Protestant Religion which she had planted and defended here in *England*; but to those different Forms elected or set up by *Luther*, and *Calvin*, and the *Huguenots*, in the Foreign and other Parts of Christendom, was in her glorious and ever to be imitated happy Reign, she

Sir Richard
Baker's Chronicle.

~~she made~~ ^{made} her Subjects as happy as her self in the Councils, Love, Duty, and Allegiance of her Parliament and assistance of her People for their own as well as her Preservation and Good; who although they were by her limited not to meddle with Church or State Government, forbid and sharply reprov'd for meddling with the Successors, had some of their several Members, as Mr. Peter Wentworth and Sir Henry Bromley Prohibited to sit in the House of Commons, and afterwards Committed Prisoners to the Tower of London, sent for Sir Edward Coke their Speaker, and charged him to deliver her Message to the House; which he did not omit to do: That *It was in her Power, to Call, Prorogue, Adjourn, Dissolve or Determine Parliaments, and to Assent or Dissent*: And in one of the said Parliaments refused her consent to 48 Bills which had passed in both Houses; informed the House of Commons, That she disliked *their Irreverence towards her Privy Councillors, Members of that House who were not to be accounted as Common Knights and Burgeses that are Councillors, but during the Parliament; whereas the others were standing Councillors, and for their Wisdom and great Service were call'd to the Council of State; Blamed some that seem'd to make their Necessities more than they were; forgetting the urgent Necessities of the Time and Dangers; would not have her People feared with Reports; and speaking to them that she heard that upon the last Attempt of the Spaniard, some had abandoned their Towns, fled higher into the Countrey, and left all Naked; said, I swear unto you By God, if I knew those Persons, or any that shall do so hereafter, I will make them know and feel what it is to be so fearful in so urgent a Cause.* And when the Commons had Petition'd unto her against some grievances of her Purveyances, and Court of Exchequer; answer'd, That *she had given some Order to the Lord Steward for the redress of the Purveyances; That she had as much Skill and Power to rule and govern her own House, as any of her Subjects whatsoever to rule and govern theirs, without the help of their Neighbours; and would shortly take further order therein, by the advice of her Judges and Learned Council.* Commanded the Speaker of the House of Commons, That if any Bills should be there exhibited touching the Succession, Matters of State, or Causes Ecclesiastical, he should not receive them.

Journals of
the four last
Parliaments
of Q. Eliza-
beth, Collected
by Heywood
Townsend, a
Member there-
of.

Which several Speeches, Directions, and Messages of her Majesty, with many others in all the time of her Parliaments, and long and happy Reign; were well esteemed of; whose Birth-Day for now almost Fourscore years last past in London, and many other Places of England, hath upon every 17th day of November, by Legacies of Annual Commemorative Sermons and Ringing of Bells, been Celebrated, and was so happy in the Duty Allegiance and Obedience of her Parliaments.

As a Prudent very Eminent & Learned Member of the House of Commons said, That before he would speak or give any consent to a Case that should debase her Sovereignty or Abridge it, *I would wish my Tongue cut out of my Head.*

Anno 43. of her Reign, A Bill being brought into the House of Commons for Explanation of the Common Law, concerning the Queens Letters Patents, and certain Monopolies; Mr. Spicer a Burges of Warwick said, That *that Bill might touch the Prerogative Royal, which was as he had Learned, so transcendent as the eye of the Subject may not aspire thereunto; and therefore be it far from him that the State and Prerogative of the Prince should be Tied by him, or any other Subject.*

Mr. Francis Bacon, after Lord Chancellor said, That *for the Prerogative Royal of the Prince, for his part he ever allowed it, and is such as he hoped should never be discussed.* And said Mr. Speaker, pointing to the Bill, *This is no stranger in this place, but a stranger in this Vestment. The Use hath been ever by Petition to humble our selves to her Majesty, and by Petition to desire*

to have the Grievances redressed, especially when the remedy toucheth her in Right or Prerogative. I say, and I say again, That we ought not to deal or meddle with, or judge of her Majesties Prerogative, I wish every man therefore to be careful of this point.

Mr. Lawrence Hyde said, I do owe a Duty to God, and Loyalty to my Prince; I made it, and I think I understand it; far be it from this heart of mine to write any thing in Prejudice or Derogation of her Majesties Prerogative Royal, and the State.

Mr. Serjeant Harris moved, That the Queen might be Petitioned by the House in all Humility.

Mr. Francis Moore, afterwards Serjeant Francis Moore said, He did know the Queens Prerogative was a thing curious to be dealt with.

Sir Robert Wroth a Member of that House did in his own particular offer 100 l. per Annum to the Wars.

Upon a Debate of Monopolies, the Queen understanding that a List of such as she had granted had been brought into the House; sent for their Speaker, and declared unto him, That for any Patents granted by her whereby any of her Subjects might be oppressed, she would take present order for Reformation thereof; her Kingly Prerogative was tender, and therefore desired them not to speak or doubt of her Reformation; but that some should be repealed, others suspended, and none put in Execution, but such as by a Trial at Law should appear to be for the good of the People; which being reported by him to the House, filled them with unspeakable Joy.

Mr. Wingfield wept, and said, His heart was not able to conceive, or his tongue express the Joy that he had in that Message.

And thereupon Mr. Secretary Cevill said, That there was no reason that all should be revoked; for the Queen meant not to be swept out of her Prerogative.

And gave them a Caution for the future, to believe that whatsoever is subject to a publick Exposition, cannot be good.

And the Parliaments in her long and glorious Reign, were so unwilling to give any disturbance to her Great and Renowned Actions for the defence and good of her Self and her People, and all the Protestant Concernments in Christendom;

As in the First year of her Reign, a Parliament granted her Two shillings eight pence in the Pound of Goods; and Four shillings of Lands, to be paid in several Payments.

In her Sixth year, one Subsidy was granted by the Clergy, and another by the Laiety together with two Fifteenths and Tenths; in the Thirteenth year of her Reign towards the Charges of Suppressing the Northern Rebellion, a Subsidy of Six shillings in the pound, by the Clergy, and by the Temporalty two Fifteens, and a Subsidy of Two shillings and eight pence in the Pound; in her Six and twentieth year, had granted her by the Clergy two whole Subsidies, and by the Laiety three, besides Six Fifteenths and Tenths; with a Proviso, that that great Contribution should not be drawn into Example; in her Fortieth year, had granted by the Clergy three entire Subsidies, and as many by the Laiety, with Six Fifteens and Tenths; and in the 42th year of her Reign, to furnish Money for the Irish Wars, had Commissions granted to confirm the Crown Lands of Ireland to the Possessors of defective Titles.

And all little enough, when in the same year Sir Walter Raleigh, a Member of the House of Commons declared unto them, That the Moneys lent unto her were yet unpaid, her Jewels and much of her Lands sold, and she had spared Money out of her own Purse and her Apparel, for her Peoples sake.

And

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And yet when in the Eighth year of her Reign the Parliament had offered unto her four Subsidies, upon Condition that she would declare her Successor; she magnanimously refused it, and remitted the fourth Subsidy, saying, *It was all one whether the Money was in her own, or in her Subjects Coffers.*

Our King James being born and bred in the Kingdom of Scotland, where their Laws are mingled with some Neighbour English Customs, drawn out of our *Glanvil*, brought thither by their King James the First, who lived some time here in *England*, and afterwards so much Compounded and over-born by the Civil Law: brought out of *France* long after by King James the Fifth, which with some part of their Common Law, makes them to be so overmuch Civil and Canon, and a Miscellany of them as they are very much different from ours, had so great an affection to the Civil Laws; and those of his own Countrey, before he had understood the Excellency of ours; that shortly after his coming to the Crown of *England* he earnestly recommended to the Parliament of *England*, not only an Union of both the Kingdoms, and the Subjects thereof; but of their Laws also: And so much favoured the Civil Laws, as he complained in a Speech to the Parliament of the Contempt of them, allowed or was much taken with the Comedy of *Ignoramus* and *Dulman*; which was purposely framed to expose the Professors of our Common Laws to a Derision of the People, and render them guilty of an Ignorance of good Letters and Learning (which all of them, witness our great *Selden*, and some other of his Coævals, could not justly be charged with) and suffered it to be Acted before him at *Cambridge* with great Applause, and to be afterwards Printed and Published without any murmur or jealousy of the *English* Nation, (that he endeavoured to introduce an Arbitrary Power) who manifested no unwillingness to give him Subsidies and Aids in Foreign as well as Domestick Affairs, when he had occasion to require them.

All which the Cares and doings of our Ancestors for the Publick and Common good joined with their Duty and Allegiance to their Sovereign Kings and Princes, may afford us convincing Reasons and Arguments, out of concluding Premisses that the Weal and Woe of Kings and their People, are like those of *Hippocrates's* Twins, partaking each with other, and that the Fear of God, Honour of the King, Self-Preservation, and Oaths and Duty of Allegiance; will be more than enough to enjoyn every good Christian and Subject, where the welfare of the King and Publick are concerned to be as willing to help the King as he would himself.

And it cannot be deemed to be either unadvisedly or ill done by our *English* Fore-fathers or Predecessors in the House of Commons in Parliament, in the Seventh year of the Reign of King *Richard* the Second; when being required of the King to give their Advice concerning a Peace to be made with the King of *France*, And the Chancellor then said, That the King of *France* himself could well do it; yet for good will he would not, without their Knowledge or Consent. Rot^h Parl.
7 R. 2. m. 5.
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And it could not be Concluded without a Personal Interview of the King of *France*, which for his Honour required great Charges, whereof he Charged them of their Allegiance, to consult and give him Answer; unto which they answering, That it becomed not them to Intermeddle their Council therein.

And therefore referred the whole Order thereof unto the King and his Council.

And being urged again to answer whether they desired Peace or War? for one of them they must choose; They answered, *Peace.*

But

But when they understood that the King of *France* desired that the King should hold *Guyen* of him by Homage and Service; they knew not what to say, only they hoped that the King meant not to hold of the *French Calice*, and other Territories gotten of them by the Sword; whereunto when the King replied, That otherwise Peace could not be granted; and therefore willed them to Choose; They in the end rather desired Peace.

8 R. 2. Rot
Parl.

But Peace not ensuing or being to be had, and the King by his Chancellor the next year after in Parliament, informing them how that the King was Invironed with the *French, Spanish, Flemmings*, and the *Scots* who were Confederate, and had made great Preparations to destroy him and his People, which was like to ensue, unless some means were used to resist it; That the King Intended to hazard his own Person to whatsoever Peril which might justly encourage all Estates willingly to offer themselves and what they had to such defence.

And declared unto them the falshood and treachery of the *French* in their Treaty of Peace at Calice, when they finding the English inclined to it, had departed from their Offers.

The Lords and Commons when they found the Honour of the King and Safety of the Nation so deeply Ingaged, granted unto the King two Fifteenths, Conditionally that a Moiety of the Fifteenth granted in the last Parliament be part of it; and so as if the King go not in Person, or that Peace be made the last Fifteenth might Cease.

Can the sullen, rude, and ungodly *Dutch* (the most of whose Religion is Trade, and all that can be gained by it) to maintain their Incroachments upon our *Brittish* Seas, obstinate Pride, and the greatest of Ingratitudes; Drown and lay under Water a great part of their Countries to preserve the remainder from the fury of their Enemies; endure the Assaults both by Sea and Land of two of the mightiest Princes of Christendom; suffer their undrowned Cities to be Taken and Garrisoned, and their People to lie under all the Miseries of a Conquering, Over-running, and Ruining Army by Land; Behold and see their Banks of Treasure with their formerly great Riches and Credits, for which they had Circled the Terrestrial Globe floating upon the Seas, and like the Dead Bodies of the Slain of their People suddenly disappearing and sinking, whilst the Inhabitants weeping as they work, were scarcely able when their numerous over-burdening Taxes were paid to support their sad Souls in the Lodgings of their languishing and care-wasted Bodies with what was left them of their Gains?

And shall not the Subjects of *England*, for the Vindicating of their Sovereigns and the Nations long ago confirmed and allowed Rights in the *Brittish* Seas, for the Honour and Safety of the King and themselves, Protection of our Isles and our Ships, which are not only the wooden Walls, but glory thereof; and the Girdle of Strength encompassing them, lay aside their too often causeless Fears and Murmurings; and out of their Luxury, Pride, Peace, and Plenty, spare that which may well be contributed towards his and their own Aid and Assistance?

Shall our *Brittannia* that was wont triumphantly to sit upon her Promontories, looking into her *Brittish* Seas, viewing her Glories, and enriching many Nations with her Merchandize; now like one affrighted, tremblingly look back, and behold the Divisions of her People at Land, ready to make her and themselves a Reproach and Hissing to all Nations, small and despicable in the eyes of those which were accustomed to honour her? Shall the Tears lie upon her Cheeks? Shall she cry out that her Friends have dealt Treacherously with her, and are become her Enemies? Shall she recount unto them how our Discords at Land heretofore, made the *Romans* Masters both

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both of our Seas and Land; where the Conquerors confessed, That *Dum singuli pugnant omnes vincantur*, That their greatest Advantage was the Disagreement of the Conquered?

And will it not now be high time to believe what the Lords and Commons in Parliament declared in their Petition to King *Charles the Martyr*, for our Religion, Laws, and Liberties in the fourth year of his Reign, That *Jealousies and Distractions are apparent signs of God's displeasure, and of ensuing Mischiefs*.

And that the Distempers and Fermentation thereof more and more increasing, may recall to our remembrance,

How little those Fears and Jealousies did profit Mr. *Pryn*, or his Adoring the *Sovereignty*, as he once called it, of Parliament; when he was afterwards pull'd out of the House of Commons, made a Prisoner, and driven to an utter Detestation of their *Arbitrary Power*?

Or of how little avail they were to the restless spirit of Levelling *John Lilburn*, when he was after as much out of love with the *Republicans* or *Cromwellians*, as he was once with them; and wrote his Book, entituled (if my memory fail me not) *Of the Oppressed Men in Chains*: And after his Cashiering out of the Army, Imprisonment, Basslings, and Trials at Law, lugged and carried about with him Sir *Edward Coke's* Comment upon *Magna Charta*, and other *English* Law-Books to no purpose.

The Fears and Jealousies which had gotten Possession in the head of Alderman *Andrews*, Lord Maior of *London* in those wickedly pernicious Times could not rescue him from the Title of *Anti-Christ* bestowed upon him by some of his own Party.

And *Oliver Cromwell*, before he took upon him the Title of *Protector* of his herd of Villains, Regicides, Murtherers and Felons, was fairly threatned or attempted to be Indicted for High Treason by Cornet *Day*, against the foolish Fancies of their *Wat Tiler*, *Jack Cade*, *John of Leyden*, or *Massianello* rowling, confounding, and never-resting Common-wealth.

Or how much did those Fears and Jealousies benefit the City of *London*, or advance their Trade or Riches; when in the late Rebellion they forfeited all their Charters, and the Liberties which they had in more than 600 years last past obtained of their Indulgent Sovereigns; Perjured themselves, ruined much of their Estates by being (some Good and Loyal Citizens excepted, who could not be without great Sufferings) Instrumental in the Ruine of many of the Nobility and Gentry, their Debtors and Customers betook themselves to Plunders and Sequestrations of honest Men than themselves, Purchased with others the Palaces and Lands of the King, Queen, Prince, Bishops, Nobility, and Delinquents, as they stiled them; for fighting against His late Majesty, when they fought for him.

Bought at cheap Rates his Pictures, and sold the Ornaments of his Chapels, Plate, Copes, and Vestments, not sparing the Coats of his Guard of Halberdiers, pull'd down his Statue at the *Royal Exchange*, with the basest and vilest Declaration put in the place of it, *Exit Tyrannus Regum ultimus*; took away or spoiled the Statues of *William the Conqueror*, and all the succeeding Kings of the *English* Monarchy; which the love which they ought to bear to Monarchy, might e're this time have perswaded them to have supplied. When the *Mercers* Company of *London* had Revenue sufficient left in Lands by Sir *Thomas Gresham* Knight, that *Prince of Merchants*, the Founder of that *Royal Exchange*, for the constant Reparation thereof.

And to how little benefit and small accompt did their fears and wilfulness come unto, when in the late Dreadful *London* Fire, when they might at the first in a little time have quenched it by Blowing up with Gun-Powder less

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than Sixteen Houses, or half a Street; they did suffer it to rage and do what it would from the later part of the *Saturday* Night until the latter part of the *Wednesday* Night next following; until it had Burned in that City and its large Suburbs little less than Twenty thousand Houses, with *St. Paul's Cathedral*, and almost a Hundred Churches; and had not been so unhappy if the Owners and Neighbours had taken the Advice, or hearkened to the earnest Perswasions of His Majesty, who on foot laboured even at the Pumps, and cried out for Help amongst them, and did all he could to perswade them to take that better course to stop that Fire; but with other that gave the same advice, was answered (as the *Duke of York* was at his quenching the Fire at the *Temple*, commanding an absent Gentleman's Chamber to be Broken up to preserve his Books and Writings, and preserve the contiguous Building from Burning) that to blow up Houses, or break open Doors was against *Magna Charta*, and they might have Actions brought against them. And in the interim whilst they were so distracted with their Fears, as all the Care they took was to lugg and carry away their Goods into the Fields or Churches; in the latter whereof the one helped to burn the other, and leave their own or their Landlord's Houses to the mercy of the Fire; which doing what it pleased, and raging so impetuously, made the whole City and its Lines of Communication, and the Circumambient Air to be like an Oven over-heated, as the numberless Sign Posts with their Signs fell on fire, and leapt in sheets as it were from one Street to another, where it never had stopped until it had destroyed and Burnt all *London* and *Westminster*, with at least 60000 Houses therein, if His Majesty, and his Servants and Nobility indefatigably Night and Day labouring amongst the remaining sad-hearted People that tarried, had not upon the *Wednesday* Night, or *Thursday* Morning next following, put the Fire (by blowing up some Houses) to a stand; and taught and encouraged the then witless over-affrighted Citizens to subdue that mighty Arbitrary Element.

Which City had been long after unbuilt, and left *inter Rudera & Cineres*, a sad Spectacle to the World, if the continued Cares of His Majesty had not by the Advice of his Parliaments, rescued them from Beggery and almost endless Suits and Controversies betwixt the Landlords and Tenants, concerning the Building up and Repair of their Houses.

And laid the burden of the Loss and Damage upon the Landlords, who were many of the Nobility and Gentry, Colleges and Halls in the Universities of *Oxford* and *Cambridge*, Companies of Trade, Hospitals, such as *St. Bartholomew's*, *Christ Church*, and *St. Thomas* in *Southwark*; Cum multis aliis, &c. By causing them in consideration of the Tenants Rebuilding their Burnt Houses with Brick in a safe and substantial way, to make them long Leases of Forty or Fifty years; according to the several Circumstances of Reason, good Conscience, and Equity without any Examination of their foolish Fears, in the saving of their Goods, and leaving their Houses to the fury of the Fire; which in a few years hath by the Rich Tradesmens taking of five times more Money with Apprentices than Fifty years ago was accustomed, amounting in the whole unto many Thousands of Pounds, and some Mortgages; and the Sinful Liberty, and Arbitrary Power which they have of late taken, in the raising of their Prices, and adulterating and sophisticating all that they Sell, starving the Workmen, and disparaging and falsifying all the Manufacture of the Kingdom; and some helps before-mentioned from His Majesty, together with his Building of *Temple-Bar*; to the wonder of many at home, and all Nations that Merchandize with her abroad, been most beautifully Rebuilt, much better and more glorious than it was before. And in the gorgeous Apparel and Attire of themselves,

themselves, their Wives, and Children ; Stately Furniture of their Houses, and Expence of Diet ; having drawn a great part of the Riches of the Nation, to their dispose and command, do live like Lords, and their Wives like Countesses or great Ladies of Honour, wallow in Peace and Plenty, and it were well they would be more thankful than they are unto God and their King for it.

Shall we be afraid, because things may be when we neither are or can be sure that they are or will be, and terrifie or molest one another with the apprehension or possibility of it before-hand, when we might do better to be quiet.

And if I should now Inquire of you how they have arrived to the height they now possess, and become so fermented as to be the Disease *Epidemical* of the Nation ; you will I make no question without any the least of hesitation or scruple, return me an Answer, That it is the twice a Day visited in *London* (by almost every Tradesman, and many times by his Man, where too often they do Brew and tun up Sedition and Treason) *Coffee-Houses*, or prating, Lying and Seditious Schools in *London*, and its large Suburbs, and most of the Cities and Boroughs of the Nation, the Mart of Lies and *Fools bolts*, and Mr. *Muddiman's* Cream of Intelligence, Communicated twice a Week by his Letters to very many in divers Countries, who do largely Pension him, and to Countrey *Coffee-Houses* that pay him a very considerable yearly Rent for his State-Informations ; where Lectures being read, and Annotations made upon them, and GuesSES and Conjectures rashly heaped one upon another, and put together ; Faction spreads her wings and carries it as fast as she can home unto too many of the Gentlemen and Farmer's Houses : From whence it comes to be *Chewed* over again at every Conventicle or Congregation Meeting, and repeated at every Market or Country meetings, and at the Feasts or Entertainments each of other ; which multiplies their fancied Affrights and Dangers, and pleaseth them not a little, who would think themselves or their *Tittle tattle Trade* undone if they should but hear of any thing (which they might often, if they would but confess or understand it) that is well done either in the *Church* or *State* ; whereunto the *Dissenters* or *Conventicle Nonconforming* Ministers, do bring no small addition, who can as little hold forth, or prove that they and their numerous Profelytes and followers are or ever will be without conversion, either good Christians or Subjects, as they can Evidence that gaping, winking, snuffling, face-making, howling, with as many frantick gestures in their Pulpits, as the Heathen *fatidici* or Priests were accustomed to make, are Essential to Preaching ; or that all that they in their *Extempore* trash, bable to their seduced People is by the Spirit or any gift thereof ; all that they in those Places or stations of teaching and promoting Disobedience and Aversion to the King, and his Laws and Government, can be *Canonical* ; or if so, how it should come to pass that in that kind of crude undigested matter, there should be so many *Blasphemies*, wrestings and abuses of Scripture, Tautologies, vain Repetitions, and ridiculous Stories, Expressions and Exhortations to Sedition and Rebellion. The Product whereof hath sadly of late years appeared to have been not one, but many *Sheba's*, blowing the Trumpets of Sedition, and *Shimei's* railing at, *Lampooning* and reviling our *David*, by base calumniating libellous Papers without any Names subscribed, put on his Table or Chair in his Closet, or affixed in places in his Galleries or Walks by those that would be call'd his Loyal and most Obedient Subjects, or such as have been thereunto instigated by Jesuits to make their Sovereign out of love with them, or they with him, at the same Time when his Sacred Person hath been surrounded with Popish Plots, by Pistolling, Stabbing, Poisoning, or Assassination ; and those that are Trusty and Faithful to him, and
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the well-established Government in Church and State, must have no better Titles than *Tories*, *Tantivies*, or *Popish* affected Pamphlets and Books to justify and incite Sedition, Treason and Rebellion, every day publicly Cryed in the Streets, or Sold in the Book-sellers Shops.

All which the most savage wild and barbarous People or Nations of the World, *Jews*, *Pagan*, *Mahumetan*, *Latitudinarian*, *Papist* and *Protestant*, Religious *Eastern* and *Western* Churches, and even the cheating *Bannians* would disown, blush at, be ashamed of, and abhor.

Unto which our Disasters both in Church and State have been great Additions, and *Kindle Coles*; which have made not only many that have some Learning, and are *ex meliori luto*, better born and bred; but the Mechanick and Illiterate part of the People, to take themselves to be a kind of *State-Menders*, and to make their small Capacities the rule and measure of their foolish Prognosticks, and are as like to hit the *white* or *mark*, as he that stands without the Doors of an House a mile off it; and undertakes of himself without the help or Information of the Inhabitants to know what is every day and night, hour or minute thereof done within the House; or as some *Mountebank* Physitian, who without the Aid or Sight of the Patient, or any Inquiry into the Symptoms, Indications or Progreſs of the Disease, should promise a never-failing Cure of his Sickness or Distemper; and may as little deserve his Fee, as a *Lawyer* who should adventure to give his Opinion, or direct his Client how to proceed in his Action or Suit, without any knowledge at all of the Fact.

So as those *State Almanack-makers*, by such an Extravagant and incertain *Ephemeris*, would do well to be more modest and cautious in their Opinions, and not to expose the Honour of their King and Sovereign to the foolish and ill-digested Censures of themselves and others; and make themselves the *Conduit-Pipes* to convey their Follies to the more Ignorant part of the People; who although by God's mercy to a causeless murmuring Nation, from the *Winter* to the *Spring*, from the *Spring* to the *Summer*, from the *Summer* to the *Autumn*, and from the *Seed* time to the *Harvest*, when the *Valleys sing*, and the *Earth is loaden with the Increase thereof*, and so all along; not for one but many years together they might understand how often they have sinned against the Divine Mercy and Providence by their Complaints of the weather, too *hot*, too *cold*, too *wet*, too *windy*, too *dry*; so as scarce one day in every ten of the year, can get an universal liking or good word of the ways of God's Providence; and should when they have found themselves every year so often and so greatly mistaken, be once ashamed, and forsake that unquietness of Spirit, will notwithstanding not only continue those their mis-doings and humours in the Case of God Almighty, as a Custom or Privilege belonging to their Farms and Husbandry; but in the height of all their Peace (without which their Plenty would be blasted) so very much traduce, scandalize, and mislike the Royal Cares of their King and God's Vicegerent, and be so unjust and unreasonable in their Complaints and *fault findings*, as though they sit under *their own Vines*, eat the *fat of the flock*, lye down upon their beds of *Ivory*, sing to the *Harp*, rise up to play; enjoy a Peace and Plenty to a Surfeit, and the Envy of all their Neighbours, and may Weekly read and hear of the Miseries and Sufferings of many Neighbour Nations by Wars and Invasions of one another; yet they must never be contented, but be every day, and very often in every day finding fault with the Government. As if the Government of the King, and the Government of the King of Kings, as to the weather, were always to be blamed.

Whilst they ought rather to be so careful of themselves and their Posterities, as to abominate those foolish ways of censuring Authority; and to take heed that God do not Punish us for our unthankfulness, and abusing his so many and all sorts of Mercies under a Prince.

Who

Who besides all his other Royal Cares and Concessions, added unto those of his famous great Ancestors and Predecessors, Kings and Queens of this Realm, for the Preservation of his Peoples Liberties and Properties; did no longer ago than in the 31th year of his Reign, for the better securing of the Liberties of his Subjects in their Persons, and prevention of Imprisonments, by sending them in Custody to some of the Islands; consented unto an Act of Parliament under great Severities, Forfeitures and Penalties to be inflicted upon such as should Imprison or Detain any Man after an *Habeas Corpus* brought, as well in the Vacations as Terms.

And so far extended it, as upon the Committing of any Man Prisoner by himself or the Lords of his Privy Council, Lord *Chamberlain*, or other great Officers of his Household, they are allowed to be Bailed by the King's Justices of his Superiour Courts of Justice; although when they themselves shall, as they do often, Commit or Imprison any man by their Delegated and Derivative Power from the King, only they are not at all obliged to discharge any such Offenders upon Writs of *Habeas Corpus*.

And by that and those multitudes of former Provisions which our Kings and their Laws have made for the good and safety of their People from all the incursions of Arbitrary Power, should not forget that there is not so much as an Imaginary fear or danger that any Subject of *England* can be injured by any Arbitrary Power or otherwise; for which a present and sudden Remedy may not be quickly had or provided; and that it is now a received Maxim in our Common-Law, That *the King can do no wrong*; and that, *id potest quod de Jure potest*. So that there are very few, unless such as would have the King to be as liable (which our Laws did always forbid) to Coertions, Arrests, or Punishments, as the most ordinary or meanest of his Subjects are or ought to be, or can be so ignorant in the course or Proceedings of our Laws; but may understand, That if he should cause any to beat or do any Injury or Trespass to any of his Subjects, the Parties or Agents are by his and our own Laws to be responsible for it.

And believe that King *James*, who had reason to understand Government and Affairs of State better than such kind of People, did not err or say amiss in his Answer in the 19th year of his Reign to a Petition to the House of Commons in Parliament, when he declared unto them, That *None could have Wisdom to Judge of things of that Nature, but such as are duely acquainted with the particulars of Treaties, and of the variable and fixed Connexions of the Affairs of State, together with the knowledge of the Secret ways, ends and intentions of Princes in their several Negotiations; otherwise a small mistaking of Matters of that Nature might produce more and worse effects than can be Imagined.*

And remember that if Impossibilities could be possible, and every one that foolishly fancies himself to be able, could be able to manage or Judge of State Affairs; yet we have no Laws that do allow every Man (Coblers and Illiterate men not excepted) to be a Statesman.

And that St. *Jude* reprehending those that *despised Dominions, and speak evil of Dignities*; gives us the Original from * whence it comes, *for that they speak evil of those things they know not.*

* Epistle of
Jude, v. 8.
and 10.

And therefore if they would but once resolve to be more obedient, seek and embrace Peace and Humility more than they do; and follow the Council of the Apostle St. *Paul*, to abstain from those that make Divisions;

And not take every thing that they do hear from foolish lying or malicious Tongues, rackets and rebounds, to be a certainty of Truth, when there is nothing at all to support it; unless they will acknowledge that their understanding memories, and senses, are by the vain and incertain Imaginations of Fears

and groundless Jealousies, misguided and led into a Frenzy; or otherwise that they would under those Pretences hide and cover their very wicked Designs, until they can be effected, and seduce as many as they can into their Party, to help to go through with it: might acquiesce in the Opinions, Duty, Allegiance, Understanding Reason and Sense of many Counties, Cities and Boroughs of this Kingdom; who upon the reading of his Majestie's Declaration, shewing the Reasons and Causes of his Dissolving the last Parliament, and His Majestie's firm and fixed resolution to maintain the Religion and Monarchical Government of this Kingdom, now by Law established, have by their many several Addresses made their dutiful acknowledgments for His Majestie's Grace and Favour therein, and the happy Government Peace and Plenty wherein they have lived since His Majestie's happy Restauration; humbly offering to defend the Rights and Prerogative of his Crown with their Lives and Estates, and concurring with them therein.

Believe that when they have tired themselves with their seaverish Dreams and Fancies, and are awake and shall come to themselves, they will upon a more knowing and sober inquest, readily find that there are more Dangers and Mischiefs like to happen by *Atheists, Debauchees, and Latitudinarians*, not a few of the Sectaries, and no small number of the wild headed *Opinion-Mongers*; whose giddy Notions makes every thing that tends to their Interest or Conveniency to be Religion enough, and are so near Neighbours to *Poperie*, as if not speedily prevented, are like to gulf into it, than there is of any Inundation of Arbitrary Power, or of the Common sort of *Unjesuited Popery*; and that *Poperie* it self would much abate, if the *Atheists, Latitudinarians*, and *Debauchees*, and the daily Quarrellers with our Church and State Government would better regulate their Brains, and not make themselves so much as they have done the Seminary Seed-Plot, and Nursery of it.

And it may be a wonder beyond the Seven Wonders of *England*, and more than an hundred added thereunto, That by a strange *Effascination*, so great a part of the Nation, after that they might well have understood his just and happy Government all the time of his Reign: had most wickedly Rebelled against His late Majesty their Sovereign, vanquish'd and procured him in the hopes of Peace, to deliver up unto them the remainders of his Strength and Garrisons; *Viz. Oxford, Newark, Worcester, and Wallingford*; Imprisoned notwithstanding, and hunted him to Death, and brought him upon a Scaffold before his own House or Palace at *White-hall*, to be barbarously Murthered.

Where he declared to the Soldiers, Army, Officers, and Spectators after he had received the blessed Sacrament, Administred unto him by the Pious and Reverend Dr. *Juxon* Bishop of *London*; and performed his other Devotions Preparatory to a near approaching Death, in his dying and last words, which ought to be believed by all that had any thing of Humanity, or were ever but *Christ'ned*; That as to his Religion, *He died a Christian, according to the Profession of the Church of England, and found it left him by his Father.*

That he desired the Peoples Liberty and Freedom as much as any body whosoever, but he must tell them that their Liberty and Freedom consists in having of Government those Laws, by which their Lives and their Goods may be most their own: It is not for having share in Government, that is nothing pertaining to them. A Subject and a Sovereign are clear different things, and therefore until they do that, I mean that you do put the People in that Liberty, as I say, certainly they will never enjoy themselves.

It was for this, that now I am come here; if I would have given way to an Arbitrary way, for to have all Laws changed according to the Power of the Sword, I needed not to have come here. And therefore I tell you (and I pray God it be not laid to your charge) that I am the Martyr of the People.

That

That in stead of a never enough to be repeated Repentance, with as much satisfaction as was possible to make it available (not by sowing the Seeds of another Rebellion) they should be so *Sottish* (which is more than a Frenzy or Lunacy, which sometimes alloweth Intervals of understanding, or coming again unto themselves) as not only to continue those Fears and Jealousies, but to hatch new and greater Additions unto them, which in most of the seduced Multitude can have no other Ground or Foundation than their Ignorance, Folly, and Illusion; and in the lesser number of that Party their Villany, Treason, and a Propensity to Act over again a second Rebellion to support them.

Can they read or hear that the *Turks* or *Mahometans* in their ignorance do no sooner find the least piece of Paper, or any other thing, with any writing upon it, but fearing that it may be some note or discovery of their Sins which might be carried to God Almighty, or their great Prophet *Mahomet*, do make as *Busbequius* relateth, all the hast they can to burn or destroy it?

And at the same time write, and hire to write, print, publish, and permit to be Cryed and Sold in the Streets, Pamphlets, and Books to justifie as much as they can their Perjuries, Sedition, Treason, Rebellion, and the Murther of His Majestie's Royal Father, with all manner of Invectives against the Government of Church and State; do they read or hear that *Athens*, once the glory of Learning and Wisdom, is by her variety of Humours, and change of Government (do what the Sage *Solon* could) now become a poor *Fisher Town* under the *Ottoman's* boundless Arbitrary Power and Slavery, and that the stout hearted *Spartans* without their *Ephori* or *King-Comptrollers*, are now under as sad and slavish a condition; and yet persist in their restless murmurings?

Or can they find any Reason or Justice, or so much as a colour of either of them to charge an *Arbitrary Power*, or faults of Government upon their King or Sovereign, when they will so little obey his Laws and Statutes, as they do all they can to contemn, over-turn, trample upon, and change them from better to worse; from the best of *Monarchies* to the worst of *Anarchies*?

When their King can do no more than make or ordain good and wholesom Laws, which with our former Laws are as Sir *Edward Coke* hath said, the *Quintessence* or best of all Laws in the World, and his Subjects will not obey them, or the directions and care of his Commissionated Judges and Officers; but will amongst themselves use *Arbitrary Power*, cheat, oppress and devour one another, and can but do what he can, and pray to God to give them grace to observe them, and may in that Case say as a King of *Israel* in another Case ^{2 Reg. ca. 6.} did to the Woman in the great Famine of *Samaria*, crying out unto him as he passed upon the Wall, *Help my Lord, O King*; and he said, *If the Lord do not help thee, whence shall I help thee?*

And until they shall have brought themselves to a better Temper, it will not also be a thing unlikely, but that I having said so much to allay their Fears and Jealousies may be *tenter-hooked*, by some of their Suspicions, bundled up amongst their no few or unusual mistakes, and made to be either a *Papist* or *Court Parasite*; but when they shall have searched the Devils Registries, and examined, pryed, peeped into, and Inspected all my Actions from my youth upwards, must whether they have a mind unto it or not, give me leave to tell them, and prove, what you do know as well as my self, that I am no *Papist*, no *Court Parasite*, nor Flatterer of any Man; and that they will not be a little mistaken if they shall think that I am not a very Loyal Subject of my King, Dutiful Son of the Church of *England*, or not averse to an Arbitrary Power, or that I can be any thing else then a Lover of the Truth, my King, the Church of *England*, and my Countrey; and being also an honourer of your self in your doing the like, shall desire always to continue under the Character thereof, and

June 17th.
1681.

Your most Affectionate Friend and Servant.

F I N I S.

Errata in the Authors absence.

P Age 16 line 5. for *and am*, read, *you are very solicitous for the Church*, p.9. line 28. read *pnt*, p. 10. line 31. read *discent*, p.40. line ult. dele *was*, read *did*, dele *as she*, et p.41. dele *she made*, et read *make*.